

EXHIBIT 5

SIPC v BLMIS

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv.Pro.No.
08-01789(SMB)

Plaintiff,

SIPA Liquidation

v.

(Substantially
Consolidated)

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.

CONFIDENTIAL

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In Re:

BERNARD L. MADOFF,

Debtor.

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Videotaped Deposition of ALETHEA LEUNG, as
reported by Nancy C. Bendish, Certified Court
Reporter, RMR, CRR and Notary Public of the
States of New York and New Jersey, at the office
of BAKER HOSTETLER, 45 Rockefeller Plaza, New
York, New York, on Thursday, June 2, 2016,
commencing at 10:12 a.m.

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APPEARANCES:

BAKER HOSTETLER, LLP
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For Irving H. Picard, Trustee for
the Substantively Consolidated SIPA
Liquidation of BLMIS and the Estate
of Bernard L. Madoff

CHAITMAN LLP
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BY: GREGORY M. DEXTER, ESQ.
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For a number of Madoff customers

ALSO PRESENT:

ROBERT BEHRENS, Videographer

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THE VIDEOGRAPHER: Good morning.
We are now on the record. The date today is
Thursday, June 2nd, 2016 and the time is 10:12
a.m. My name is Robert Behrens, the video
technician in association with Bendish
Reporting.
This deposition is being held at
the office of Baker Hostetler located at 45
Rockefeller Plaza, New York, New York. The
caption of this case is SIPC versus BLMIS.
This case is filed in the United
States Bankruptcy Court, Southern District of
New York. Adversary proceeding number
08-01789(SMB).
The name of the witness is Alethea
Mui. At this time the attorneys present will
identify themselves and the parties they
represent and then the court reporter, Nancy
Bendish, will swear in the witness.
MS. ACKERMAN: Stephanie Ackerman,
counsel for the Trustee, Irving Picard.
MS. BROWN: Seanna Brown, counsel
for the Trustee, Irving Picard.
MS. BARROW: Erica Barrow, counsel
for the Trustee, Irving Picard.

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(Previously marked Trustee Exhibits
21, 22, 23, 24, 30, 36, 39, 40, 42, 44, 45, 49,
53, 55, 56 and 57 were also referred to and are
attached hereto.)

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MR. DEXTER: Gregory Dexter, law
firm of Chaitman LLP, here on behalf of scores
of Madoff customers.

ALETHEA LEUNG, sworn.
THE REPORTER: Your full name,
please, for the record.
THE WITNESS: Alethea Leung.
EXAMINATION BY MS. ACKERMAN:
Q. Good morning. My name is
Stephanie Ackerman and I'm here with my
colleagues Seanna Brown and Erica Barrow. We
represent the Trustee in the matter of the
Securities Investor Protection Corporation
versus BLMIS, which is a bankruptcy proceeding
in the Southern District of New York Bankruptcy
Court.
Prior to beginning the deposition,
I shared with you the Litigation Protective
Order that governs this case. The purpose of
this order is to protect the confidentiality of
certain documents and evidence in this case. I
provided you with a copy before we began. Can
you confirm that you signed the protective
order?

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<p style="text-align: right;">Page 6</p> <p>1 A. Yes.</p> <p>2 Q. Thank you.</p> <p>3 There's also a second protective</p> <p>4 order entered in this specific matter that</p> <p>5 limits this deposition in certain ways which has</p> <p>6 been previously marked as Trustee's Exhibit 21.</p> <p>7 I'll give you a copy of that now to review.</p> <p>8 Specifically, under paragraph 3 of</p> <p>9 this order, which is entitled the Order Setting</p> <p>10 Certain Limitations on Depositions Taken on the</p> <p>11 Profit Withdrawal Issue, ECF number 13358, the</p> <p>12 judge requires me to tell you that your</p> <p>13 testimony today must be limited to issues</p> <p>14 related to profit withdrawal transactions at</p> <p>15 BLMIS and customer accounts. Your testimony is</p> <p>16 to be limited to the profit withdrawal issue and</p> <p>17 anything related to the profit withdrawals. Do</p> <p>18 you understand?</p> <p>19 A. Yes.</p> <p>20 Q. If you want to, you may take a</p> <p>21 look at the document. Paragraph 3 is the one</p> <p>22 that I just referenced.</p> <p>23 Okay, great, thank you.</p> <p>24 How do I pronounce your last name?</p> <p>25 A. Leung.</p>	<p style="text-align: right;">Page 8</p> <p>1 know. I'll rephrase it. Okay?</p> <p>2 A. Okay.</p> <p>3 Q. Throughout this deposition I'm</p> <p>4 going to be asking you question about Bernard L.</p> <p>5 Madoff Investment Securities and I'm going to</p> <p>6 refer to that as BLMIS. Okay?</p> <p>7 A. Okay.</p> <p>8 Q. If you need to take a break at any</p> <p>9 time, just let me know. The only time we can't</p> <p>10 take a break is if a question is pending. I'll</p> <p>11 just ask you to answer the question and then we</p> <p>12 can break.</p> <p>13 A. Okay.</p> <p>14 Q. Ms. Leung, are you taking any</p> <p>15 medication that may impair your ability to</p> <p>16 answer questions accurately today?</p> <p>17 A. No.</p> <p>18 Q. Are you taking any medications</p> <p>19 that may affect your memory?</p> <p>20 A. No.</p> <p>21 Q. Do you understand that in this</p> <p>22 deposition you are now under oath, the same as</p> <p>23 you would be at a trial?</p> <p>24 A. Yes.</p> <p>25 Q. And will you answer truthfully</p>
<p style="text-align: right;">Page 7</p> <p>1 Q. Ms. Leung, have you ever been</p> <p>2 deposed before?</p> <p>3 A. No.</p> <p>4 Q. So I think it might help if I</p> <p>5 start by going over how things are gonna work</p> <p>6 today.</p> <p>7 A. Okay.</p> <p>8 Q. First, I'm going to be asking you</p> <p>9 questions and you're going to be answering them</p> <p>10 and Nancy, our court reporter, is going to be</p> <p>11 transcribing both.</p> <p>12 A. Okay.</p> <p>13 Q. So to that end I'm going to ask</p> <p>14 that all of your responses to my questions be</p> <p>15 verbal. She can't transcribe a head nod or a</p> <p>16 head shake.</p> <p>17 A. Okay.</p> <p>18 Q. Also, in order to help her</p> <p>19 transcribe accurately, I'm going to try not to</p> <p>20 speak over you. So if you can let me finish my</p> <p>21 questions before you answer, I'll let you finish</p> <p>22 before I ask my next question. Okay?</p> <p>23 A. Okay.</p> <p>24 Q. If at any time you don't</p> <p>25 understand one of my questions, please let me</p>	<p style="text-align: right;">Page 9</p> <p>1 today?</p> <p>2 A. Yes.</p> <p>3 Q. And will you answer accurately?</p> <p>4 A. Yes.</p> <p>5 Q. Thank you.</p> <p>6 What's your educational history?</p> <p>7 A. High school grad.</p> <p>8 Q. And do you have any additional</p> <p>9 degrees or certificates post-high school?</p> <p>10 A. No.</p> <p>11 Q. And are you currently employed?</p> <p>12 A. Yes.</p> <p>13 Q. And where do you work?</p> <p>14 A. Mistras Group.</p> <p>15 Q. What's that?</p> <p>16 A. Mistras Group.</p> <p>17 Q. What kind of work is that?</p> <p>18 A. It's an engineering company. I</p> <p>19 work in the HR department.</p> <p>20 Q. Okay, great.</p> <p>21 When did you begin working at</p> <p>22 BLMIS?</p> <p>23 A. I think 1995.</p> <p>24 Q. Okay. Do you remember which</p> <p>25 month?</p>

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<p>1 A. July.</p> <p>2 Q. July of 1995?</p> <p>3 A. Um-hum, yes.</p> <p>4 Q. What was your title or position at</p> <p>5 BLMIS when you first started?</p> <p>6 A. Data entry.</p> <p>7 Q. Okay. And what was your title</p> <p>8 when you left?</p> <p>9 A. Data entry.</p> <p>10 Q. And when you started at BLMIS,</p> <p>11 where was the office located?</p> <p>12 A. 885 Third Avenue.</p> <p>13 Q. Okay. Here in New York City?</p> <p>14 A. Yes.</p> <p>15 Q. And did you work on the 17th</p> <p>16 floor?</p> <p>17 A. Yes, I did.</p> <p>18 Q. Did the employees on the 17th</p> <p>19 floor work with customer accounts?</p> <p>20 A. Yes.</p> <p>21 Q. And what hours did you work while</p> <p>22 you were there?</p> <p>23 A. 8 to 4.</p> <p>24 Q. And who was your direct</p> <p>25 supervisor?</p>	<p>1 A. That is correct.</p> <p>2 Q. And when you left BLMIS at the</p> <p>3 end --</p> <p>4 A. Yes.</p> <p>5 Q. -- was she your co-worker?</p> <p>6 A. Yes.</p> <p>7 Q. Was there anyone else in between</p> <p>8 that time?</p> <p>9 A. No, not really. There was a girl</p> <p>10 before me who I was taking her place, so she</p> <p>11 kind of trained me at the beginning when I was</p> <p>12 there.</p> <p>13 Q. Do you remember her name?</p> <p>14 A. No. Oh wait. Allison. That's</p> <p>15 all I can remember.</p> <p>16 Q. That's helpful, thank you.</p> <p>17 A. You're welcome.</p> <p>18 Q. And so Allison trained you?</p> <p>19 A. Yes.</p> <p>20 Q. When you started?</p> <p>21 A. Correct.</p> <p>22 Q. And how did she train you?</p> <p>23 A. She showed me, you know, what we</p> <p>24 receive and how to input it into the system.</p> <p>25 Q. Did she give you a manual of any</p>
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<p>1 A. Annette Bongiorno.</p> <p>2 Q. And did Annette Bongiorno direct</p> <p>3 your work?</p> <p>4 A. You mean give me the work?</p> <p>5 Q. Yes.</p> <p>6 A. Yes.</p> <p>7 Q. Did anyone else --</p> <p>8 A. Yes.</p> <p>9 Q. -- provide you with tasks to</p> <p>10 perform? Who was that?</p> <p>11 A. Frank DiPascali.</p> <p>12 Q. Anyone else?</p> <p>13 A. And sometimes Jodi Crupi.</p> <p>14 Q. And who did you work with directly</p> <p>15 doing the data entry? Sorry. Who were your</p> <p>16 co-workers?</p> <p>17 A. Oh, okay. Dorothy Khan.</p> <p>18 MR. DEXTER: Sorry, what was that?</p> <p>19 A. Dorothy. Dorothy Khan.</p> <p>20 Q. Khan, thank you. Was there anyone</p> <p>21 else?</p> <p>22 A. She was usually my co-worker with</p> <p>23 data entry, yes.</p> <p>24 Q. So from the time you started you</p> <p>25 worked with Dorothy?</p>	<p>1 kind?</p> <p>2 A. No. She just told me to make like</p> <p>3 a -- we have, I guess our book that we write in</p> <p>4 our steps and she just told me to take notes in</p> <p>5 our notebook, yeah, our notes.</p> <p>6 Q. So you had a notebook that you</p> <p>7 worked with?</p> <p>8 A. Yes. That I would put down my</p> <p>9 steps, so I know what to do.</p> <p>10 Q. And you kept that with you?</p> <p>11 A. Yes.</p> <p>12 Q. And so what were your job</p> <p>13 responsibilities at BLMIS?</p> <p>14 A. Mostly data entry. Do you need to</p> <p>15 know what type of entry?</p> <p>16 Q. Sure, yeah. Whatever you can</p> <p>17 remember about the different things that you</p> <p>18 did.</p> <p>19 A. We entered information into the</p> <p>20 system for trading tickets or tickets to</p> <p>21 produce, and checks. We would enter checks that</p> <p>22 came into the company, we would enter that into</p> <p>23 the system. And if checks had to go out, we</p> <p>24 entered checks to go out.</p> <p>25 Q. And when you say entered, did you</p>

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<p>1 enter those into the BLMIS computer system?</p> <p>2 A. Yeah.</p> <p>3 Q. Did you have a name for that</p> <p>4 computer system?</p> <p>5 A. No, I didn't have a name. I know</p> <p>6 that when I first started they had asked if I</p> <p>7 had any knowledge of the, I think it's the</p> <p>8 AS/400 system. And that I did, so I guess if</p> <p>9 that's what the name of the system is, then</p> <p>10 that's what it would be.</p> <p>11 Q. And then so -- where did you sit</p> <p>12 on the 17th floor?</p> <p>13 A. In the center of the room, which I</p> <p>14 used to call a fish bowl at the end of the year.</p> <p>15 Q. And what was in that room?</p> <p>16 A. Just myself and computers.</p> <p>17 Q. Do you remember about how many</p> <p>18 computers?</p> <p>19 A. Well, myself, Dorothy and then two</p> <p>20 other ladies. So there was four computers.</p> <p>21 Q. And who were the two other ladies?</p> <p>22 A. Charlene White and Magdalena</p> <p>23 Ortiz.</p> <p>24 Q. And what were their positions at</p> <p>25 BLMIS?</p>	<p>1 computer system when you first started?</p> <p>2 A. Yes.</p> <p>3 Q. And did you supervise any</p> <p>4 employees when you were at BLMIS?</p> <p>5 A. No.</p> <p>6 Q. Did you train any new employees?</p> <p>7 A. They were looking for some people</p> <p>8 sometimes to help, but nobody really came in and</p> <p>9 worked, yeah.</p> <p>10 Q. Okay. And so in your position did</p> <p>11 you enter new customer information into the</p> <p>12 computer system?</p> <p>13 A. Yes. Employees -- customer name</p> <p>14 and addresses, yes, I remember seeing that.</p> <p>15 Q. And how did you do that? What was</p> <p>16 the procedure for opening -- entering new</p> <p>17 account information into the computer system?</p> <p>18 A. I can't recall. Now I vaguely</p> <p>19 remember that I would have -- I'd see a folder</p> <p>20 in front of me and there's a sheet that says the</p> <p>21 name and the address, and that's all I remember</p> <p>22 seeing, or remember. And I don't remember the</p> <p>23 screen at all on the computer.</p> <p>24 Q. Do you remember what a C&S form,</p> <p>25 do you remember a C&S form that you worked with?</p>
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<p>1 A. I don't know what their positions</p> <p>2 were, but they did not work in our department.</p> <p>3 Q. So they didn't do the same data</p> <p>4 entry that you did?</p> <p>5 A. That's correct.</p> <p>6 Q. In the process of performing your</p> <p>7 tasks, did you handle the customer account</p> <p>8 files?</p> <p>9 A. What do you mean?</p> <p>10 Q. Were there folders for each</p> <p>11 customer account that you remember?</p> <p>12 A. I remember folders, but we didn't</p> <p>13 have folders, I don't think.</p> <p>14 Q. You didn't work with them?</p> <p>15 A. No, I don't recall.</p> <p>16 Q. Okay. Did you handle any incoming</p> <p>17 customer correspondence at all?</p> <p>18 A. Like if they, if a customer called</p> <p>19 or anything like that?</p> <p>20 Q. Called or if they wrote a</p> <p>21 letter --</p> <p>22 A. No.</p> <p>23 Q. -- to BLMIS.</p> <p>24 A. No.</p> <p>25 Q. So did you start working with the</p>	<p>1 A. Yes, yes.</p> <p>2 Q. And what was that?</p> <p>3 A. Well, I guess there were forms</p> <p>4 that were given to us by Annette or Jodi or</p> <p>5 Frank that had -- to me, with accountant</p> <p>6 background, it looked like ledger forms, like</p> <p>7 R's and D's and CA's and CW's and stuff like</p> <p>8 that on them and I would just key them into the</p> <p>9 system mainly.</p> <p>10 Q. And so did the green sheets have</p> <p>11 both incoming checks and outgoing checks listed?</p> <p>12 A. The green?</p> <p>13 Q. Um-hum.</p> <p>14 A. I'm not -- I can't remember which</p> <p>15 one's which.</p> <p>16 Q. So was there one form for checks</p> <p>17 that were coming into BLMIS and another for</p> <p>18 those that were going out?</p> <p>19 A. I believe so, yes.</p> <p>20 Q. Do you remember which the green</p> <p>21 was, by any chance?</p> <p>22 A. I'm thinking the green one is a</p> <p>23 debit one and I'm thinking yellow is the</p> <p>24 receive.</p> <p>25 Q. And while you worked at BLMIS, did</p>

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<p>1 you see Bernard Madoff on the 17th floor?</p> <p>2 A. Sometimes he would come down.</p> <p>3 Q. About how often?</p> <p>4 A. Oh, once a month, if that much.</p> <p>5 Yeah, maybe even less sometimes, but yeah.</p> <p>6 Q. Did he supervise your work in any</p> <p>7 way directly?</p> <p>8 A. No, he did not.</p> <p>9 Q. And when did you stop working at</p> <p>10 BLMIS?</p> <p>11 A. When they shut down, I guess.</p> <p>12 Q. So around when were you there</p> <p>13 till?</p> <p>14 A. They let me go in January of, oh</p> <p>15 gosh, 2000, was it 10 -- I think 2009 was when</p> <p>16 he was, and I think it was '10, 2010, January.</p> <p>17 Q. Might have been January 2009?</p> <p>18 A. Okay, yes. 2009 then, yes.</p> <p>19 Q. So let's talk to you a little bit</p> <p>20 more about the check processing that you did.</p> <p>21 A. Okay.</p> <p>22 Q. So BLMIS customers were able to</p> <p>23 withdraw money from their accounts, correct?</p> <p>24 A. Yes.</p> <p>25 Q. And when a check was -- when a</p>	<p>1 A. Dorothy and I.</p> <p>2 Q. And so you left them in Winnie's</p> <p>3 office. Do you know -- did Winnie review them</p> <p>4 after you left them?</p> <p>5 A. I would assume so. I think she</p> <p>6 would check to make sure that what we entered</p> <p>7 was there, I guess.</p> <p>8 Q. Okay. Were you part of the -- do</p> <p>9 you know who mailed the checks out?</p> <p>10 A. I would assume the mailroom.</p> <p>11 Q. Did you help with that at all?</p> <p>12 A. No.</p> <p>13 Q. And so who instructed you to print</p> <p>14 the checks on a daily basis?</p> <p>15 A. That was part of my job, I guess,</p> <p>16 when they gave us the list of checks to print</p> <p>17 and to run, that was part of the steps that we</p> <p>18 would do at the end of the day is to input all</p> <p>19 the incoming checks and issue out the old -- the</p> <p>20 checks going out and then print them and have</p> <p>21 them ready for the next day.</p> <p>22 Q. And how -- how were you told to</p> <p>23 print? Sorry, let me rephrase that.</p> <p>24 What information were you given in</p> <p>25 order to print the checks?</p>
Page 19	Page 21
<p>1 withdrawal was made, the check was sent to the</p> <p>2 customer?</p> <p>3 A. I suppose so.</p> <p>4 Q. Did you see the checks once they</p> <p>5 were printed?</p> <p>6 A. I printed the checks, yes.</p> <p>7 Q. And were the checks made out to</p> <p>8 the customer?</p> <p>9 A. Yes.</p> <p>10 Q. And so were the employees on the</p> <p>11 17th floor responsible for sending the checks</p> <p>12 out to the customers?</p> <p>13 A. I believe so, yes.</p> <p>14 Q. Let me back up a little bit.</p> <p>15 So, when you printed checks --</p> <p>16 A. Right.</p> <p>17 Q. -- how often did you print checks?</p> <p>18 A. Every day.</p> <p>19 Q. Okay. And once you printed the</p> <p>20 checks, what did you do with them?</p> <p>21 A. We would print them at the end of</p> <p>22 the day and then we'd put them into Winnie's</p> <p>23 office for the next day.</p> <p>24 Q. And when you say "we," who do you</p> <p>25 mean?</p>	<p>1 A. I guess the check -- I don't</p> <p>2 remember what it was. It was either the check,</p> <p>3 a check-out book or a list of checks that -- I</p> <p>4 don't know if it's on the C&S. I can't remember</p> <p>5 where they generate from, but they would --</p> <p>6 let's see. I know the process but I don't</p> <p>7 remember exactly what was given to me to enter</p> <p>8 them into as checks.</p> <p>9 Q. Okay. We can come back to that.</p> <p>10 When you printed the checks, did</p> <p>11 anything print with them?</p> <p>12 A. Memos.</p> <p>13 Q. And could you describe those?</p> <p>14 A. They're white pieces of paper that</p> <p>15 would say their names and who it's going to, I</p> <p>16 think.</p> <p>17 Q. So it would identify who the check</p> <p>18 was made out to?</p> <p>19 A. I believe so.</p> <p>20 Q. Would it have the amount?</p> <p>21 A. I can't recall.</p> <p>22 Q. Was it an image of the check?</p> <p>23 A. An image?</p> <p>24 Q. Or was it a copy?</p> <p>25 A. No, not really. It's a memo sheet</p>

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<p>1 so I don't think it's a copy, no.</p> <p>2 Q. And did the labels print when you</p> <p>3 printed the checks?</p> <p>4 A. Yes, if there were labels, yes.</p> <p>5 Q. What do you mean if there were</p> <p>6 labels?</p> <p>7 A. If there were labels, mailing</p> <p>8 labels, yes.</p> <p>9 Q. Were there instances where there</p> <p>10 were not labels?</p> <p>11 A. There may be, I'm not sure. I</p> <p>12 know that we have labels that print, but I don't</p> <p>13 know if some have -- because they're address</p> <p>14 labels so I'm not sure if everybody printed had</p> <p>15 one. I can't recall.</p> <p>16 Q. But those labels printed at the</p> <p>17 same time the checks did?</p> <p>18 A. Yes.</p> <p>19 Q. And they printed from the same</p> <p>20 system?</p> <p>21 A. Yes.</p> <p>22 Q. And did the labels match the</p> <p>23 check?</p> <p>24 A. Like the names?</p> <p>25 Q. Yes. Did the name on the label</p>	<p>1 A. Yes.</p> <p>2 Q. So once the checks were printed</p> <p>3 and sent out to the customers, was there a way</p> <p>4 for BLMIS to track which checks were sent out?</p> <p>5 A. I don't know.</p> <p>6 Q. Did you print any reports ever</p> <p>7 that identified the checks that had been mailed?</p> <p>8 A. No.</p> <p>9 Q. Did you ever see a report that</p> <p>10 would have tracked --</p> <p>11 A. No.</p> <p>12 Q. -- which checks?</p> <p>13 A. No.</p> <p>14 Q. So a moment ago you testified that</p> <p>15 with the checks -- when the checks printed a</p> <p>16 check memo was also printed?</p> <p>17 A. Yes.</p> <p>18 Q. And what did you do with the check</p> <p>19 memos?</p> <p>20 A. They went with the checks to</p> <p>21 Winnie's office.</p> <p>22 Q. And to your knowledge Winnie</p> <p>23 maintained those records?</p> <p>24 A. Yeah, I guess so, yes.</p> <p>25 Q. Did the check memos ever come back</p>
Page 23	Page 25
<p>1 match the name on the check?</p> <p>2 A. That I'm not sure of. You know,</p> <p>3 again, they may have an address or something</p> <p>4 like that, but basically they would probably be</p> <p>5 the same, yeah.</p> <p>6 Q. So were the checks made out to the</p> <p>7 customer?</p> <p>8 A. Most likely, yes.</p> <p>9 Q. And they were mailed to the</p> <p>10 customer?</p> <p>11 A. I would believe so.</p> <p>12 Q. Do you know how the information</p> <p>13 for the mailing labels was put into the computer</p> <p>14 system?</p> <p>15 A. It was given to us, Dorothy and I.</p> <p>16 Again, on that sheet would have the name and</p> <p>17 their address and if there was a mailing</p> <p>18 address, then they would say mailing address and</p> <p>19 that we would then key that into the system.</p> <p>20 Q. And what -- do you remember what</p> <p>21 table you entered that into?</p> <p>22 A. No, I don't.</p> <p>23 Q. Was the customer name and address</p> <p>24 information stored in one place in the</p> <p>25 computers?</p>	<p>1 to you?</p> <p>2 A. No.</p> <p>3 Q. I'm now going to show you what's</p> <p>4 been marked as Trustee's Exhibit 49. It's a</p> <p>5 large document but I'm only going to be asking</p> <p>6 you about a few pages.</p> <p>7 A. Okay.</p> <p>8 Q. Take a look at that.</p> <p>9 MR. DEXTER: What page are we</p> <p>10 looking at here?</p> <p>11 MS. ACKERMAN: Nothing yet. We're</p> <p>12 just letting her take a look.</p> <p>13 Q. Do you recognize this document?</p> <p>14 A. I don't remember. I mean, I read</p> <p>15 that this is things that I worked on and</p> <p>16 entered, but I don't recall, for some reason I</p> <p>17 don't remember having this document or anything.</p> <p>18 I don't remember it.</p> <p>19 Q. That's okay. But you do recognize</p> <p>20 some of the procedures that are identified in</p> <p>21 it?</p> <p>22 A. Yes.</p> <p>23 Q. As -- and you recognize those as</p> <p>24 tasks that you performed?</p> <p>25 A. Correct.</p>

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8 (Pages 26 to 29)

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<p>1 Q. So now I'd like to turn to the 2 page ending in 523 on the bottom right, the 3 Bates stamp. So it's MADTSS00336523. 4 A. Okay. 5 Q. Ms. Leung, do you know what cash 6 security transaction codes are? 7 A. These on the far left you're 8 referring to? 9 Q. Yes. 10 A. Do I know what they mean? 11 Q. Do you know what the codes are in 12 the first column there on the left? 13 A. They look like codes that we would 14 have on our C&S sheets. 15 Q. And what would they correspond to? 16 A. I guess they're all types, so I'm 17 not sure. 18 Q. Would you enter those codes into 19 the computer system? 20 A. Yes. 21 Q. And what would that do, once you 22 entered the code in? What did it correspond to? 23 A. I suppose, as you see, it says for 24 journal C -- the first one, journal credit I 25 would assume.</p>	<p>1 Q. And so the codes listed on this 2 page were ones that you entered in on a regular 3 basis as part of your work? 4 A. Correct. Not all of them but 5 most, yeah. 6 Q. So now let's turn to page ending 7 in 545, MADTSS00336545. Do you recognize the 8 process identified on this page? 9 A. I recall the check-in book. This 10 was a small book. Check-out book, I can't 11 recall a check-out book or binder. Binder. 12 Q. Can you take a look at this page 13 and the next page ending in 546. Does this 14 identify the procedure that you would have 15 followed to punch checks? 16 A. Yes. Yes, there. 17 Q. Okay. So if we can go back to the 18 first page, the 545. Could you read that first 19 paragraph into the record. First, can you tell 20 me what the title of this page is? 21 A. "Checks." 22 Q. And can you read that paragraph 23 that starts with "There are three." 24 A. "There are three books you will 25 punch checks from: Check-in book (small book</p>
Page 27	Page 29
<p>1 Q. So that's the first line JC? 2 A. Yes. 3 Q. Okay. And can you just let me 4 know which you recognize and what they mean in 5 that column? 6 A. Like I was never told exactly what 7 they were, but this is what I'm gathering, 8 since -- let's see. JC, journal credit, journal 9 debit. CA, capital additions, I guess. CW, 10 withdrawals. PW's, I guess profit withdrawals 11 or profit -- it says here profit checks, I 12 guess. D and R, deliver and receive, those 13 would definitely -- oh, those were mostly used. 14 And then GC I would use sometimes, journal 15 credits. VC, very few. The others I don't 16 recall using as much. Maybe VC, maybe once in a 17 blue moon. I see VC, VD, but... 18 Q. Okay. Can you tell me which of 19 these were related to check withdrawals? 20 A. I believe it's the CW. 21 Q. Any others? 22 A. And probably the PW. 23 Q. And are any related to check 24 deposits coming into BLMIS? 25 A. I think the CA.</p>	<p>1 8-1/2 by 5)." Second book is "Check-Out book 2 (8-1/2-by-11 book)," and the third book would be 3 "binder with profit checks for 10 account." 4 Q. So, do you know what these -- do 5 you know what the check-in book is? 6 A. Yes, I do. 7 Q. And what information did the 8 check-in book contain? 9 A. It would contain the customer's 10 name, the -- I believe the account number and 11 the amount that came in. 12 Q. And how did you see that book? 13 Why did you see that book? 14 A. It was given to us so we could 15 enter it into the system. 16 Q. And who gave it to you? 17 A. Normally it would be given to us 18 by Jodi. 19 Q. Jodi Crupi? 20 A. Yes. 21 Q. And when did she give it to you? 22 A. Near the end of the day. 23 Q. Every day? 24 A. Yes. 25 Q. And was the information in the</p>

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9 (Pages 30 to 33)

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<p>1 check-in book handwritten?</p> <p>2 A. Yes.</p> <p>3 Q. And so was it the notes from Jodi</p> <p>4 identifying the checks that had come in that day</p> <p>5 to BLMIS?</p> <p>6 A. Notes?</p> <p>7 Q. Sorry. Was it -- did it list all</p> <p>8 the checks that had been received by BLMIS on a</p> <p>9 given day?</p> <p>10 A. I -- I'm not sure. I guess so,</p> <p>11 that's what they give me. We don't see the</p> <p>12 checks that are actually coming in. I guess</p> <p>13 they put it in the book and then they give it to</p> <p>14 us, so I don't know.</p> <p>15 Q. And then what did you do with the</p> <p>16 book once you received it at the end of the day?</p> <p>17 A. We would enter it into the system,</p> <p>18 the information. And then once that's done, we</p> <p>19 would then give it back or give it to Winnie</p> <p>20 with the check-outs and the memos that come with</p> <p>21 it. That goes back, yeah.</p> <p>22 Q. So at the end of the day you gave</p> <p>23 Winnie Jackson the check-in book?</p> <p>24 A. Um-hum, yes.</p> <p>25 Q. And -- okay. And then what</p>	<p>1 A. Yes.</p> <p>2 Q. And then, do you recognize number</p> <p>3 3, the binder with profit checks for the 10</p> <p>4 account?</p> <p>5 A. I can't recall.</p> <p>6 Q. Do you know what the 10 account</p> <p>7 refers to?</p> <p>8 A. No, I can't remember. I don't</p> <p>9 remember. I kind of remember at first, when we</p> <p>10 first -- when I first started, that there were</p> <p>11 three, but I think towards the end there wasn't</p> <p>12 three anymore. I think there were just two, the</p> <p>13 check-in and the check-out. I don't recall</p> <p>14 three books. I can't remember it.</p> <p>15 Q. So when you first started, do you</p> <p>16 remember there being the three books?</p> <p>17 A. I remember, because as I'm reading</p> <p>18 these pages here, I remember two sets of checks.</p> <p>19 And I recall last, that we did have two sets of</p> <p>20 checks. Only had one, I believe.</p> <p>21 Q. I'm sorry. So at the end before</p> <p>22 you left BLMIS there were no longer three sets,</p> <p>23 there were only two?</p> <p>24 A. Yes.</p> <p>25 Q. And then if I could, could you</p>
Page 31	Page 33
<p>1 about -- then number 2 was the check-out book.</p> <p>2 A. Yes.</p> <p>3 Q. Did you work with that book?</p> <p>4 A. I can't recall what -- how the</p> <p>5 book looked like, but I know we had check-outs.</p> <p>6 I just don't remember how it came to us.</p> <p>7 Q. Let me just ask one more question</p> <p>8 about the check-in book.</p> <p>9 It's your understanding, though,</p> <p>10 that the checks identified in the check-in book</p> <p>11 were deposits to customer accounts, correct?</p> <p>12 A. Yes. That would be considered</p> <p>13 check-ins, yes.</p> <p>14 Q. And check-outs would be considered</p> <p>15 what?</p> <p>16 A. Going out, the checks going out to</p> <p>17 customers.</p> <p>18 Q. So customer withdrawals?</p> <p>19 A. Yes.</p> <p>20 Q. When you received the information</p> <p>21 for check-outs, who did it come from?</p> <p>22 A. Mainly we would receive the</p> <p>23 check-in and the check-outs together, so it</p> <p>24 would come from Jodi, mainly.</p> <p>25 Q. Jodi Crupi?</p>	<p>1 take a look at just below the paragraph that you</p> <p>2 just read, could you read that next paragraph</p> <p>3 into the record for us, on page 545. The</p> <p>4 paragraph starting "Jodi."</p> <p>5 A. "Jodi will give you checks on a</p> <p>6 daily basis. She will give you an instruction</p> <p>7 sheet which will tell you what outgoing checks</p> <p>8 should be punched and the check date."</p> <p>9 Q. Do you recall -- did Jodi give you</p> <p>10 instruction sheets daily?</p> <p>11 A. Not instruction sheets, just like</p> <p>12 these are the check-outs and these are the</p> <p>13 check-ins. So we knew, they were pretty much...</p> <p>14 Q. Did the check-outs come as a</p> <p>15 single sheet or was it part of a book?</p> <p>16 A. I think there was -- I can't</p> <p>17 remember. I remember seeing a sheet, a sheet of</p> <p>18 paper, but I can't remember the rest.</p> <p>19 Q. That's okay.</p> <p>20 So I'm going to come back to this</p> <p>21 in a minute.</p> <p>22 A. Okay.</p> <p>23 Q. Right now I want to show you</p> <p>24 what's been marked as Trustee's Exhibit 22.</p> <p>25 Take a look at that.</p>

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10 (Pages 34 to 37)

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<p>1 So Exhibit 22 is an excerpt from a</p> <p>2 3,000-page document. I'm going to ask you a few</p> <p>3 questions about a few of the pages.</p> <p>4 A. Okay.</p> <p>5 Q. Do you recognize these pages?</p> <p>6 A. Some of these things I don't</p> <p>7 remember ever seeing.</p> <p>8 Q. What do you recognize? Is there</p> <p>9 anything in Exhibit 22 that you do recognize?</p> <p>10 A. I want to say I do, but...</p> <p>11 Q. That's okay. Let me ask you a</p> <p>12 couple of questions about the first page,</p> <p>13 HWN00001479.</p> <p>14 A. Okay.</p> <p>15 Q. Can you take a look at the columns</p> <p>16 on that page. So the first column on the</p> <p>17 left --</p> <p>18 A. Yes.</p> <p>19 Q. -- do you know what that is?</p> <p>20 A. That looks like probably the name</p> <p>21 of the customer.</p> <p>22 Q. And the second column?</p> <p>23 A. The account number.</p> <p>24 Q. And then in that middle column,</p> <p>25 what does that represent?</p>	<p>1 A. I want to say it's Jodi, but I'm</p> <p>2 not sure. It looks like it could be hers.</p> <p>3 Q. Okay. Let's take a look at the</p> <p>4 page ending in 1651, so HWN00001651. Do you</p> <p>5 recognize this page at all?</p> <p>6 A. Looks similar to the first page,</p> <p>7 same information.</p> <p>8 Q. Do you recognize the handwriting</p> <p>9 here at all?</p> <p>10 A. No. Looks like a couple different</p> <p>11 handwritings.</p> <p>12 Q. So if we could just go through</p> <p>13 these. Are the columns similar to what we just</p> <p>14 looked at?</p> <p>15 A. Yes.</p> <p>16 Q. Could you just tell me what each</p> <p>17 are, going across.</p> <p>18 A. Okay. The first, the customer,</p> <p>19 the customer ID, the date, the journal entry</p> <p>20 codes, an amount. I'm not sure what the last</p> <p>21 one would be. I think...</p> <p>22 Q. Okay. Going back to the journal</p> <p>23 entries, which journal entries are here?</p> <p>24 A. The PW's and CW's, I would assume</p> <p>25 profit withdrawal and capital withdrawal.</p>
Page 35	Page 37
<p>1 A. I guess the date. It looks like</p> <p>2 the date.</p> <p>3 Q. And then the fourth column after</p> <p>4 that?</p> <p>5 A. The journal entry.</p> <p>6 Q. And in this case what journal</p> <p>7 entry is it?</p> <p>8 A. PW, profit withdrawal.</p> <p>9 Q. And then the next column is a</p> <p>10 series of check marks. Do you recognize that at</p> <p>11 all?</p> <p>12 A. I can't recall.</p> <p>13 Q. And then the next column?</p> <p>14 A. Totals of I guess money or</p> <p>15 amounts.</p> <p>16 Q. So a moment ago we talked about</p> <p>17 the sheet that you would get from Jodi to punch</p> <p>18 checks, outgoing checks.</p> <p>19 A. Right.</p> <p>20 Q. Would that have -- would that have</p> <p>21 the same information that we see here?</p> <p>22 A. Gosh, I can't remember. I really</p> <p>23 don't remember the book.</p> <p>24 Q. It's okay. Do you recognize the</p> <p>25 handwriting on page 1479?</p>	<p>1 Q. Did you -- and is it your</p> <p>2 understanding that profit withdrawals are debits</p> <p>3 to the customer's account?</p> <p>4 A. Debited out of the account. I</p> <p>5 would assume so, yes.</p> <p>6 Q. If you entered in the journal code</p> <p>7 PW, would you be ultimately printing a check to</p> <p>8 the customer or entering in a deposit?</p> <p>9 A. It would be a check going out.</p> <p>10 Q. And for CW, if you entered that</p> <p>11 into the computer, would that be a debit or</p> <p>12 check going out?</p> <p>13 A. Yes.</p> <p>14 Q. Just one more page for now. If</p> <p>15 you would turn to page ending in 1655. So</p> <p>16 HWN00001655.</p> <p>17 Do you recognize this handwriting?</p> <p>18 A. No.</p> <p>19 Q. And can you just tell me, there</p> <p>20 are fewer columns here. Could you just walk me</p> <p>21 through the columns on this page as well.</p> <p>22 A. Okay. Looks like the customer</p> <p>23 account, an amount and then the customer's name.</p> <p>24 Q. And then along the top, there's</p> <p>25 some headings.</p>

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11 (Pages 38 to 41)

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<p>1 A. Okay. It says PW, Liberty 2 National Bancorp. 3 Q. And so PW would be the what again? 4 A. The profit withdrawal. 5 Q. And that would -- okay. 6 So this would be a list of checks 7 that would have been printed out and sent to the 8 customer? 9 A. Yes. I would assume so. I don't 10 recall, I don't recall this, but, yeah, it would 11 look like it. 12 Q. Let me just ask you this. So the 13 information you would have gotten from Jodi to 14 print a check for a customer, would it have 15 included this information? 16 A. Yes. 17 Q. So the customer account number? 18 A. Yes. 19 Q. The amount of the check? 20 A. Right. 21 Q. The journal code? 22 A. Yes. 23 Q. And then the customer's name? 24 A. Yes. 25 Q. Would it also have included a date</p>	<p>1 and always PW. On description type check and 2 stock name." 3 Q. That's okay. You can stop there. 4 So let me just -- so where you just read "On 5 description type check and stock name." 6 A. Yes. 7 Q. In the time that you worked at 8 BLMIS, when you printed checks for customers -- 9 A. Right. 10 Q. -- did you enter in the words 11 "check" and a stock name ever? 12 A. Not that I recall. 13 Q. Do you know what it means when it 14 says "on description"? 15 A. In the description section, yes. 16 Like a memo section on a personal check, would 17 be the description. 18 Q. And did you enter information into 19 that regularly when printing checks at BLMIS? 20 A. No. Normally it would just say 21 check. 22 Q. In the description? 23 A. I believe so, yes. 24 Q. Then if you could take a look at 25 B.</p>
Page 39	Page 41
<p>1 for the check? 2 A. Yes. 3 Q. And that would have been the date 4 that the check would have been printed? 5 A. Yes. 6 Q. If you don't mind, I'd like to go 7 back to Exhibit 49, which was the manual here. 8 A. Okay. 9 Q. And I'd like to go back to the 10 page ending in 545, which I believe was the one 11 we were looking at. 12 So then in the middle of the page 13 do you see the heading "Check Codes"? 14 A. Yes. 15 Q. So going down that lists from, I 16 think it's bullets A, B, C and D. 17 A. Yes. 18 Q. Could you one at a time describe 19 each of them for me. 20 A. You want me to read what's on 21 here? Is that what you mean? 22 Q. Yes. If you could. The first one 23 next to A is what? 24 A. A, "PW, profit withdrawal. Check 25 that comes from setups in binder are 10 account</p>	<p>1 A. B, okay. CW, capital withdrawal. 2 Q. Okay. And so it's your 3 understanding that CW's or capital withdrawals 4 are withdrawals from the customer's account? 5 A. Correct. 6 Q. And C, do you know what a debit 7 transfer is? 8 A. No, I do not. 9 Q. And then D is which journal entry? 10 A. CA, capital addition. That's for 11 checks coming in. 12 Q. The deposits from customers? 13 A. Deposits, yes. 14 Q. And you entered those into the 15 computer system as well? 16 A. That's correct. 17 Q. And then again, so turning over to 18 546, the next page, MADTSS00336546, there's a 19 paragraph there at the end. Could you read that 20 for us into the record, starting with 21 "Therefore." 22 A. "Therefore, you will usually have 23 three sets of checks daily. CA - checks coming 24 in for current day; PW - Levy checks going out 25 for the next working day; CW/PW/DT - checks for</p>

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12 (Pages 42 to 45)

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<p>1 all other accounts going out for the next 2 working day." 3 Q. And do you recall these three sets 4 of checks from your time at BLMIS? 5 A. Yes. Again, I remember three sets 6 when I first started and then later on I don't 7 recall having three sets. 8 Q. Okay. So later on do you recall 9 having CA's? 10 A. Yes. We always had CA's. 11 Q. And were CA's processed and were 12 they entered into the computer system on the 13 same day they were received? 14 A. I would believe so. Again, I 15 don't check the mail so I don't know when they 16 received them. 17 Q. And then do you recall CW checks 18 later on? 19 A. Yes. 20 Q. And do you recall PW checks later 21 on? 22 A. I don't recall too many PW checks 23 later on. 24 Q. And when you say later on, do you 25 mean around 1990 -- sorry, around 2008?</p>	<p>1 A. The main screen. 2 Q. Right. And so if you could, could 3 you just walk me through kind of what a typical 4 day would have been for you working with your 5 computer system. So would you turn on the 6 computer when you first got there? 7 A. Yes. 8 Q. Did you have to log in? 9 A. I can't remember. Oh, gosh. I 10 can't even remember if I had to log in. 11 Q. Was this the first screen you 12 would see once you -- 13 A. Yes. 14 Q. -- started working? 15 A. Yes. 16 Q. Can you take a look at this and 17 could you identify for me the menus that you 18 used most often. 19 A. Okay. Menu -- number 2, menu 20 cash17. 21 Q. And what was cash17? 22 A. That's our C&S entries for our, 23 the green and yellow sheets that we received. 24 Q. So when you entered the 25 information from the C&S sheets...</p>
Page 43	Page 45
<p>1 A. Maybe, I don't know, maybe even 2 before that. I'm not sure. 3 Q. But you do recall them when you 4 first started? 5 A. Yes. 6 Q. Just kind of an overview. So were 7 checks ever sent out to customers recorded as 8 debits in the computer system? 9 A. Checks going out? 10 Q. Yes. 11 A. Yeah, I think so, yeah. 12 Q. And so -- that's good for now, 13 thanks. 14 Okay. I want to show you what's 15 been marked as Trustee's Exhibit 53. Could you 16 just take a look at this and let me know when 17 you're ready. 18 A. Okay. 19 Q. Do you recognize this? 20 A. Yes, this is a screen, the 21 computer screen I worked with, entering our 22 information. Screenshots. 23 Q. So I'd like to direct your 24 attention to that first page there, MDPTFF- 25 00000695. Was this the --</p>	<p>1 A. We would go into this menu. 2 Q. Okay. And what would that result 3 in? 4 A. Reports, I guess. 5 Q. The updates from the C&S were 6 updates to the computer -- the customer 7 statement, the customer account? 8 A. Yes. Yes. 9 Q. But that wasn't what you used to 10 print checks? 11 A. No. 12 Q. Okay. Go ahead. 13 A. DIV17. 14 THE REPORTER: I'm sorry? 15 A. Menu DIV17, D-I-V 17. 16 Q. And what did you use that for? 17 A. The dividends. That's normally 18 used I believe -- I remember at the end of the 19 month when we enter our dividends before we run 20 month end, I'm thinking. 21 Q. Okay. Go ahead. 22 A. Menu EAC, I don't know what that 23 is. That sounds like checks, but I can't recall 24 if that's the menu that we used to enter checks 25 or we keyed in a command. Let me see.</p>

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13 (Pages 46 to 49)

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<p>1 So that's our quarterly checks. 2 Yes, so the menu EACHK is the quarterly check 3 run. 4 Q. So what did that mean, what's a 5 quarterly check run? 6 A. That's when we would get like, I 7 guess it was a big, I don't know, it looked like 8 ledgers or something, computer printout sheets 9 where it would tell us to run, to correlate 10 checks for certain employees and then we would 11 enter those in. 12 Q. So when you say enter those in, 13 you mean you'd generate the checks? 14 A. Yes. Enter them in the system. 15 Q. And print them? 16 A. Yes. And print them. 17 Q. And do you remember who gave you 18 the quarterly print check report? 19 A. They would come from Jodi. 20 Q. From Jodi. 21 A. Um-hum. 22 Q. So going back to the main menu, do 23 you remember which menu you would have started 24 with to print checks? 25 A. Thinking that we key in the actual</p>	<p>1 going to update customer information, say name 2 or address information, do you remember which 3 menu you would have started with for that? 4 MR. DEXTER: Objection, leading. 5 Q. Did you update customer account 6 information? 7 A. Yes. 8 Q. And did you use the BLMIS 9 customer -- sorry, the BLMIS computer system to 10 do that? 11 A. Yes. 12 Q. Would you have started with the 13 main menu to update customer information? 14 A. Yes. 15 Q. Can you tell me how you did that? 16 A. We went into the file maintenance. 17 That's what it says here. So that's on page 18 701. 19 Q. So for the record, we're looking 20 at MDPTFF00000701 identified by the witness. 21 A. Yes. 22 Q. And you said this is the file 23 maintenance page? 24 A. Yes. And we would enter, or go 25 into the first one, 1, 2, enter the customer and</p>
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<p>1 check memo01. I don't think it's on the menu 2 here. 3 Q. So when you say key in, you mean 4 you went to a screen and typed in memo01? 5 A. Yeah. Yes, that's what I'm 6 thinking. I'm thinking that's what we did was 7 type in memo01, enter the information, and then 8 once we were done do the memo02 to generate the 9 checks. 10 Q. Okay. So there was a screen where 11 you would type in the memo01 that you don't see 12 here? 13 A. Trying to remember. I think it 14 was on -- I think we would just put it on the 15 first page. There was a command line and you'd 16 just type it in. 17 Q. Okay. 18 A. Can't remember. 19 Q. Okay. And then if I can ask you, 20 so on the main menu, if you look at command 21 number 8, could you read that into the record. 22 A. "Menu Namenu." 23 Q. Did you use that menu? 24 A. Sounds familiar. 25 Q. If you were going -- if you were</p>	<p>1 address information, update that. 2 So that may be the Namenu one. I 3 can't remember what menu that was. 4 Q. Okay. We'll come back to that a 5 little bit later. I'd like to direct your 6 attention to, excuse me, the page ending in 697. 7 So MDPTFF00000697. Take a look at this. 8 I'd like to direct your attention 9 to item 14. 10 A. Enter debit/credit memos. 11 Q. Did you use that command? 12 A. I can't recall. 13 Q. And for 15? 14 A. Print checks and memos. I mean, 15 it sounds to me it could be the memo01, memo02, 16 but for some reason I can't remember them. I 17 remember seeing or typing in memo01 and memo02. 18 So, I don't remember entering debit/credit 19 memos. I don't recall. 20 Q. When you entered a memo01, do you 21 recall what would happen next? 22 A. A screen would open up and I would 23 be able to key in the customer's account -- the 24 account number and then their name normally pops 25 up and then we'd key in the amount that we</p>

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<p>1 either received or were issuing out.</p> <p>2 Q. Okay. So you'd put in the</p> <p>3 customer account number and their name and</p> <p>4 address information automatically appeared?</p> <p>5 A. Yes. The name, yes.</p> <p>6 Q. And then you'd enter in the check</p> <p>7 amount?</p> <p>8 A. Yes.</p> <p>9 Q. Did you enter in the journal code</p> <p>10 on that screen?</p> <p>11 A. I want to say yes. I want to say</p> <p>12 that it's on the first screen, on the screen on</p> <p>13 top that says CA, CW, you'd put in. I want to</p> <p>14 say that. I can't remember.</p> <p>15 Q. Do you remember if you would have</p> <p>16 had to go to a separate, excuse me -- would you</p> <p>17 have had to go to a separate screen to enter in</p> <p>18 the journal code?</p> <p>19 A. No, I can't remember that. I'm</p> <p>20 thinking it's on the same -- on the same screen.</p> <p>21 Q. And after memo01, you said earlier</p> <p>22 I think that you went to memo02?</p> <p>23 A. Once we finish entering either</p> <p>24 checks in or checks out and we're done, then we</p> <p>25 do the memo02 to print out -- like to generate</p>	<p>1 marked as Trustee's Exhibit 55. Again, this is</p> <p>2 another large document but we're just going to</p> <p>3 talk about a few pages. Actually, I'm going to</p> <p>4 give you 55 and also what's been marked as</p> <p>5 Trustee's Exhibit 56, together.</p> <p>6 Would you take a look at them. Do</p> <p>7 you recognize these documents?</p> <p>8 A. Yes. These are logs, our work</p> <p>9 logs, Dorothy and my work logs.</p> <p>10 Q. So that's the work log that you</p> <p>11 and Dorothy Khan both used?</p> <p>12 A. Yes.</p> <p>13 Q. And for Exhibit 55, can -- do</p> <p>14 you -- is the year identified for that document?</p> <p>15 A. Yes, it is.</p> <p>16 Q. And what is that?</p> <p>17 A. Says 1995.</p> <p>18 Q. Okay. And for the record, the</p> <p>19 witness is referring to page MADTSS00998813.</p> <p>20 And then for Exhibit 56, I'd like</p> <p>21 to direct your attention to the last page,</p> <p>22 MADTSS00997643. Does that identify the year for</p> <p>23 that log as well?</p> <p>24 A. Yes. 1996.</p> <p>25 Q. Thank you. So a moment ago you</p>
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<p>1 the checks so that they're ready for printing.</p> <p>2 Q. Did memo02 -- so memo02 printed</p> <p>3 the checks?</p> <p>4 A. Right. It processed the checks,</p> <p>5 right, for printing.</p> <p>6 Q. And did it also process the</p> <p>7 labels?</p> <p>8 A. Yes.</p> <p>9 Q. And did it process the check</p> <p>10 memos?</p> <p>11 A. Yes.</p> <p>12 Q. And then you would print?</p> <p>13 A. Correct.</p> <p>14 Q. Okay. And was this the same for</p> <p>15 all checks?</p> <p>16 A. Yes.</p> <p>17 Q. So a journal entry of CW, this is</p> <p>18 the procedure you would have followed?</p> <p>19 A. Yes.</p> <p>20 Q. And for a journal entry of PW,</p> <p>21 would you have followed the same procedure?</p> <p>22 A. Yes, I believe so.</p> <p>23 Q. Okay, thank you. You can put that</p> <p>24 aside for a second.</p> <p>25 I want to show you now what's been</p>	<p>1 said these were the work logs that you and</p> <p>2 Dorothy Khan used?</p> <p>3 A. Correct.</p> <p>4 Q. What did you use it for?</p> <p>5 A. Just to log our work that we did</p> <p>6 on a daily basis for our procedures that we've</p> <p>7 entered into the system.</p> <p>8 Q. So these logs would have</p> <p>9 identified every time you printed checks?</p> <p>10 A. Yes.</p> <p>11 Q. Every time you entered in incoming</p> <p>12 checks?</p> <p>13 A. Yes.</p> <p>14 Q. Or when you ran the C&S?</p> <p>15 A. Yes.</p> <p>16 Q. And how many logs did you use at</p> <p>17 any given time? Did you and Dorothy share one</p> <p>18 log?</p> <p>19 A. Yes, we did.</p> <p>20 Q. And where was the log kept?</p> <p>21 A. On our desk.</p> <p>22 Q. And what did you do with the logs</p> <p>23 once they were -- what did you do with older</p> <p>24 logs?</p> <p>25 A. I just filed them away.</p>

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<p>1 Q. Where did you file them?</p> <p>2 A. I just put them in an envelope and</p> <p>3 I guess it went downstairs in a box or</p> <p>4 something.</p> <p>5 Q. At what point during the day would</p> <p>6 you enter -- actually, let me back up for a</p> <p>7 second.</p> <p>8 Let's take a look at page ending</p> <p>9 in 814, so MADTSS00998814 and that's in</p> <p>10 Trustee's Exhibit 55.</p> <p>11 Starting at the top there, do you</p> <p>12 recognize the handwriting on this page?</p> <p>13 A. Yes.</p> <p>14 Q. And in the first line, whose</p> <p>15 handwriting is that?</p> <p>16 A. Mine.</p> <p>17 Q. And who else -- is there anyone</p> <p>18 else's handwriting on this page?</p> <p>19 A. Dorothy's.</p> <p>20 Q. Can you identify about where</p> <p>21 Dorothy's is.</p> <p>22 A. The third line down would be</p> <p>23 Dorothy's, that says "checks CA."</p> <p>24 Q. Okay. Great, thank you.</p> <p>25 I'd like to direct your attention</p>	<p>1 A. Yes, CA, I'm sorry.</p> <p>2 Q. Okay.</p> <p>3 A. And PW and CW, checks going out</p> <p>4 12/20 and I see 12/12.</p> <p>5 Q. And so when you say -- sorry,</p> <p>6 you've already said that PW and CW were checks</p> <p>7 going out, correct?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Would you mind just telling</p> <p>10 me -- so, could you walk me through how, what</p> <p>11 you did before you entered this in?</p> <p>12 A. Entered it on the log?</p> <p>13 Q. Process the checks, yes. How did</p> <p>14 you process the checks that you've identified</p> <p>15 here?</p> <p>16 A. I would receive, again, the</p> <p>17 check-in book and the information for</p> <p>18 check-outs. And again, I'm thinking that I'd go</p> <p>19 in and I'd key in the memo01 and enter in the</p> <p>20 check-ins first, the CA and the account numbers</p> <p>21 and the amount that we received. And then doing</p> <p>22 a memo02 and then processing the PW's and the</p> <p>23 CW's.</p> <p>24 In this case probably would be</p> <p>25 separate because, going back to what it said</p>
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<p>1 to page ending in 817, a couple of pages forward</p> <p>2 in Trustee's Exhibit 55.</p> <p>3 I'd like to direct your attention</p> <p>4 to -- starting in the left-hand column, does</p> <p>5 this page identify the work date?</p> <p>6 A. Yes.</p> <p>7 Q. What's the first work date</p> <p>8 identified on this page?</p> <p>9 A. December 15th.</p> <p>10 Q. And so if you could, take a look</p> <p>11 at the 19th, about halfway down.</p> <p>12 A. Yes.</p> <p>13 Q. Is this your handwriting?</p> <p>14 A. Yes.</p> <p>15 Q. Were these tasks that you</p> <p>16 performed on December 19th?</p> <p>17 A. Correct.</p> <p>18 Q. And so the fifth line down, could</p> <p>19 you read that for me for the record?</p> <p>20 A. "Checks CA 12/19"; and "PW and CW</p> <p>21 12/20 and 12/12."</p> <p>22 Q. Can you tell me what that means.</p> <p>23 A. Checks coming in, I guess, at</p> <p>24 12/19, that date. PW --</p> <p>25 Q. That's the check CA?</p>	<p>1 here, the PW's are different and they were on</p> <p>2 different checks at that time.</p> <p>3 Q. So you would have processed all of</p> <p>4 the checks with a CW journal code and then</p> <p>5 processed the checks that had the PW journal</p> <p>6 code, for example?</p> <p>7 A. I'm thinking -- I can't recall but</p> <p>8 I'm thinking yes.</p> <p>9 Q. Okay. But it was the same</p> <p>10 process, to process both, correct?</p> <p>11 A. Yes. I'm thinking yes.</p> <p>12 Q. Okay. So just to talk a little</p> <p>13 bit about the information you put into the</p> <p>14 system to print, to generate the checks.</p> <p>15 A. Okay.</p> <p>16 Q. So I believe before you said you</p> <p>17 entered the customer account number in?</p> <p>18 A. Yes.</p> <p>19 Q. And that brought up the customer</p> <p>20 information?</p> <p>21 A. Um-hum.</p> <p>22 Q. And then did you enter in the date</p> <p>23 of the check?</p> <p>24 A. I'm thinking -- oh, gosh, I can't</p> <p>25 remember.</p>

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<p>1 Q. That's okay.</p> <p>2 A. I don't remember where the date</p> <p>3 would go in, whether it would go in when we</p> <p>4 first key in the memo01 and it asks us for a</p> <p>5 date, or if it's actually on the screen where I</p> <p>6 enter the information for the customer. I'm</p> <p>7 thinking it's before. I think it's before that,</p> <p>8 I'm thinking.</p> <p>9 Q. But you entered it in?</p> <p>10 A. Yes.</p> <p>11 Q. You entered the date in?</p> <p>12 A. Yes.</p> <p>13 Q. And you entered in the amount?</p> <p>14 A. Yes.</p> <p>15 Q. Of the check?</p> <p>16 A. Yes.</p> <p>17 Q. Did you enter in a description for</p> <p>18 the check?</p> <p>19 A. No, I don't think so.</p> <p>20 Q. Did you enter in any other</p> <p>21 information for the check?</p> <p>22 A. Just the journal entry, the CA,</p> <p>23 CW, PW, the account number and the check amount.</p> <p>24 Q. Okay. Did you generate customer</p> <p>25 statements at the end of the month?</p>	<p>1 usually run at the end of the day so that the</p> <p>2 customer information can be updated as of the</p> <p>3 day -- of the date you are running the C/S for."</p> <p>4 Q. Above that paragraph it references</p> <p>5 a menu?</p> <p>6 A. Yes. A menu cash17.</p> <p>7 Q. So what does it mean to settle all</p> <p>8 pending files?</p> <p>9 A. It sounds -- whatever we did</p> <p>10 during the day, we entered trade information,</p> <p>11 entered the checks that came in and the checks</p> <p>12 that are going out. So when you're doing the</p> <p>13 C&S it then, I guess, settles them and puts them</p> <p>14 into, I guess, into the customer's file, I</p> <p>15 guess.</p> <p>16 Q. Did you run C&S every day?</p> <p>17 A. Yes.</p> <p>18 Q. And so how did -- what did that</p> <p>19 mean to run C&S; how did you do it?</p> <p>20 A. Go to the menu cash17 and follow</p> <p>21 the prompts.</p> <p>22 Q. So if we go back to Trustee's</p> <p>23 Exhibit 53, page ending in 697, MDPTFF00000697,</p> <p>24 is this the cash17 menu you were referring to?</p> <p>25 A. Yes.</p>
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<p>1 A. Yes.</p> <p>2 Q. And how did you generate the</p> <p>3 customer statements?</p> <p>4 A. It was a procedure that we'd have</p> <p>5 to follow.</p> <p>6 Q. And was it similar to the way you</p> <p>7 processed the check, where you entered in an</p> <p>8 account number and that brought up the</p> <p>9 information?</p> <p>10 A. No. It was one process, one</p> <p>11 procedure. We'd go through and it would</p> <p>12 generate all the customers' statements.</p> <p>13 Q. Okay.</p> <p>14 A. At the end of the month.</p> <p>15 Q. So let's go back to this document</p> <p>16 again, Exhibit 49. I'd like to direct your</p> <p>17 attention to page ending in 521. So</p> <p>18 MADTSS00336521.</p> <p>19 Can you please read that first</p> <p>20 paragraph into the record.</p> <p>21 A. "C/S or cash and security</p> <p>22 settlement. This settles all pending files</p> <p>23 created from trades, check, et cetera. Within a</p> <p>24 given month C/S is run for every day of the</p> <p>25 month this is a valid settlement date. It is</p>	<p>1 Q. And do you remember which entry</p> <p>2 here you would have used to run C&S?</p> <p>3 A. Yes. The first one is when we</p> <p>4 enter, update any C&S entries that we receive.</p> <p>5 And then number 2 is to process it.</p> <p>6 Q. What would a C&S entry be?</p> <p>7 A. Normally what we have on our green</p> <p>8 and yellow sheets.</p> <p>9 Q. And what was that? What was the</p> <p>10 information that was on the green or yellow</p> <p>11 sheet?</p> <p>12 A. Depending on the green and yellow</p> <p>13 sheet that was given to us, the CA's would show,</p> <p>14 I guess, checks coming in, maybe wire checks</p> <p>15 maybe. CW's are any check going -- wire checks</p> <p>16 going out. And we got R and D's which are</p> <p>17 receive and deliver. I guess those had shares.</p> <p>18 Some others, I guess, other. Those are like the</p> <p>19 main stuff that we have -- normally get.</p> <p>20 Q. So the green sheets would be wire</p> <p>21 transfers going out to the customer?</p> <p>22 A. Yes.</p> <p>23 Q. And the yellow sheets would be</p> <p>24 wire transfers coming into BLMIS from the</p> <p>25 customers?</p>

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<p>1 A. Yes.</p> <p>2 Q. And were there journal codes</p> <p>3 included on the green sheets?</p> <p>4 A. Yes. CW's or R and D's or</p> <p>5 whatever it is.</p> <p>6 Q. So PW's would be included on the</p> <p>7 green sheets?</p> <p>8 A. Yes.</p> <p>9 Q. And the PW's would be included on</p> <p>10 the green sheets as debits going out to the</p> <p>11 customers?</p> <p>12 A. Yes.</p> <p>13 Q. If a check was generated for a</p> <p>14 customer on a given day, would there be a</p> <p>15 corresponding debit to their customer account?</p> <p>16 A. If a check was going out on a</p> <p>17 given day?</p> <p>18 Q. Would a customer's account be</p> <p>19 debited for that amount?</p> <p>20 A. I would assume so. That's, I</p> <p>21 believe that's what the C&S would show that, I</p> <p>22 guess that's what it means. Debit --</p> <p>23 Q. So when you ran -- sorry.</p> <p>24 A. Yes, sorry.</p> <p>25 Q. So when you ran the C&S at the end</p>	<p>1 top account is a customer or if there is only</p> <p>2 one customer account per record, then the</p> <p>3 customer will be debited."</p> <p>4 Q. What does the top account refer to</p> <p>5 in this paragraph?</p> <p>6 A. On the sheet sometimes they'll</p> <p>7 show -- on the green sheet would see a "D" and</p> <p>8 then there's an account number up on top,</p> <p>9 underneath the "D."</p> <p>10 Q. And was that a BLMIS account</p> <p>11 number?</p> <p>12 A. Yes.</p> <p>13 Q. What did it mean for it to be --</p> <p>14 what did that mean?</p> <p>15 A. I don't know.</p> <p>16 Q. And then what is an "R" code in</p> <p>17 that same paragraph?</p> <p>18 A. Receive. "R" codes, receive I</p> <p>19 guess.</p> <p>20 Q. Okay. Did you enter those in as</p> <p>21 part of the C&S processing, the "R" code?</p> <p>22 A. Yes.</p> <p>23 Q. Was that a journal entry as well?</p> <p>24 A. That's -- I didn't -- yes. That's</p> <p>25 what -- I'm thinking the C&S sheets are journal</p>
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<p>1 of the day, it would essentially calculate the</p> <p>2 deposits and withdrawals for each account?</p> <p>3 MR. DEXTER: Objection, leading.</p> <p>4 You can answer.</p> <p>5 A. Yeah, I guess that's what it would</p> <p>6 do. I'm not sure, yeah.</p> <p>7 Q. Did you have an understanding of</p> <p>8 what the purpose of the C&S process was at the</p> <p>9 end of each day?</p> <p>10 A. Just to close out what we did</p> <p>11 during the day. That's all I knew.</p> <p>12 Q. And by close out, did you</p> <p>13 understand that to mean update each account?</p> <p>14 A. Yes.</p> <p>15 THE VIDEOGRAPHER: Excuse me,</p> <p>16 counsel, five minutes.</p> <p>17 Q. So, if we can go back to Exhibit</p> <p>18 49 again, back to page 521. Follow-up question.</p> <p>19 MADTSS00336521, Exhibit 39 (sic).</p> <p>20 The second paragraph there under "C/S Sheets."</p> <p>21 Could you read that paragraph in for us?</p> <p>22 A. "Green sheet: Debits codes - for</p> <p>23 R codes that have two account numbers per</p> <p>24 record. If top account is a bank account then</p> <p>25 the customer account will be credited. If the</p>	<p>1 entries. That's what I called them.</p> <p>2 MS. ACKERMAN: Okay. I think</p> <p>3 that's a good place to take a break.</p> <p>4 THE VIDEOGRAPHER: This concludes</p> <p>5 DVD number 1. The time is 11:30 a.m. We are</p> <p>6 going off the record.</p> <p>7 (Recess taken.)</p> <p>8 THE VIDEOGRAPHER: This begins DVD</p> <p>9 number 2. The time is 11:49 a.m. We are back</p> <p>10 on the record.</p> <p>11 BY MS. ACKERMAN:</p> <p>12 Q. Ms. Leung, before we broke we were</p> <p>13 talking about the green sheets.</p> <p>14 A. Yes.</p> <p>15 Q. So if I could direct your</p> <p>16 attention back to Trustee's Exhibit 49, page</p> <p>17 ending in 521. So it's MADTSS00336521.</p> <p>18 Can you tell me what the green</p> <p>19 sheets looked like?</p> <p>20 A. They were green, they had --</p> <p>21 thinking, trying to count the columns.</p> <p>22 I would want to say they had four</p> <p>23 columns. I remember seeing the last column, I</p> <p>24 think it says comments in the last column. I</p> <p>25 can't re -- no.</p>

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<p>1 Q. That's okay. Let me ask you this.</p> <p>2 Was it a preprinted sheet?</p> <p>3 A. No. The green sheet was a blank</p> <p>4 sheet that was green and then they would</p> <p>5 handwrite what needs to be done on it.</p> <p>6 Q. When you say "they," who do you</p> <p>7 mean?</p> <p>8 A. Well, whoever would give it to me,</p> <p>9 Annette, Jodi, Frank.</p> <p>10 Q. Okay. So they took a green sheet</p> <p>11 of paper and drew the lines in?</p> <p>12 A. Oh, no, no. The lines were there.</p> <p>13 That was all there. Just the information, like</p> <p>14 the codes or the account numbers, things like</p> <p>15 that.</p> <p>16 Q. So were there a stack of these</p> <p>17 pre-printed green sheets that just had the blank</p> <p>18 columns?</p> <p>19 A. Yes.</p> <p>20 Q. And then someone would fill it in?</p> <p>21 A. Correct.</p> <p>22 Q. Enter the information in by hand?</p> <p>23 A. Yes.</p> <p>24 Q. And the green sheets were for</p> <p>25 debits, correct?</p>	<p>1 Q. So just to clarify, so you'd key</p> <p>2 in the memo01 and that would bring up a screen?</p> <p>3 A. Um-hum.</p> <p>4 Q. And then you would enter in the</p> <p>5 date that you wanted --</p> <p>6 A. Yes.</p> <p>7 Q. -- to print the checks for?</p> <p>8 A. Yes, yes. If they're coming in</p> <p>9 checks, it would be the day that we're entering</p> <p>10 it, the same day that we received on that day.</p> <p>11 Going out would be the next day, because we'd</p> <p>12 print them at the end of the day so this should</p> <p>13 be the next day.</p> <p>14 Q. So you would print the checks at</p> <p>15 the end of the day, correct?</p> <p>16 A. Um-hum, yes.</p> <p>17 Q. And the date on that check would</p> <p>18 be for the following day?</p> <p>19 A. Correct.</p> <p>20 Q. And that would be the day it was</p> <p>21 mailed?</p> <p>22 A. Right.</p> <p>23 Q. Just below the key memo01 that you</p> <p>24 just read, do you see on the left there there's</p> <p>25 some handwriting?</p>
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<p>1 A. Yes.</p> <p>2 Q. And that included PW's?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. Let's see. If we can, turn</p> <p>5 to 547. Do you recognize the procedure</p> <p>6 identified on this page?</p> <p>7 A. Entering and running checks, key</p> <p>8 in memo01, yes, that's what I thought. I can't</p> <p>9 remember. Okay, thought I was losing it.</p> <p>10 Q. So what did you just recognize</p> <p>11 there?</p> <p>12 A. Oh, when I first saw the key</p> <p>13 memo01 to enter checks and then to enter the</p> <p>14 date working with, before we entered the</p> <p>15 information of the client or anything like that.</p> <p>16 Q. So what does that mean, sorry? If</p> <p>17 you could explain it a little bit.</p> <p>18 A. On the main screen, our computer</p> <p>19 screen, we put in or key in the command memo01.</p> <p>20 Then it would open up a screen, probably tell us</p> <p>21 what date or -- to put in, or it was the next</p> <p>22 line, just another command line, I forget. And</p> <p>23 then we just enter that date and then it would</p> <p>24 then open up to a line where we would enter the</p> <p>25 customer account number. I believe.</p>	<p>1 A. Yes.</p> <p>2 Q. Do you recognize that handwriting?</p> <p>3 A. No.</p> <p>4 Q. Can you read for the record what</p> <p>5 it says there?</p> <p>6 A. Check name is a function of</p> <p>7 name/address. And it has a date, 7/24/96.</p> <p>8 Q. Do you know what that means?</p> <p>9 A. When we enter in the account</p> <p>10 number, the check name automatically populates</p> <p>11 and it comes -- it's drawn from the name and</p> <p>12 address, customer account, the name and address</p> <p>13 screen, I guess, where we start.</p> <p>14 Q. And what does check mean?</p> <p>15 A. The name of the -- what's gonna be</p> <p>16 on the check.</p> <p>17 Q. When you say what's going to be on</p> <p>18 the check, do you mean the payee?</p> <p>19 A. Payee, that's right.</p> <p>20 Q. So check name is who the check is</p> <p>21 made out to?</p> <p>22 A. Correct. And usually comes from</p> <p>23 the name and address, I guess, file.</p> <p>24 Q. And what's the name and address</p> <p>25 file?</p>

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19 (Pages 70 to 73)

<p style="text-align: right;">Page 70</p> <p>1 A. That's the customer maintenance 2 file. 3 Q. And when you say customer 4 maintenance file, you mean in the computer 5 system? 6 A. Yes. 7 Q. And what is the customer 8 maintenance file in the computer system? What 9 does it consist of? 10 A. The customer's name, their 11 address. That's basically what we would enter. 12 And the account number. 13 Q. So when you entered up -- when you 14 pulled up the screen to generate a check -- 15 A. Um-hum. 16 Q. -- the name that the check would 17 be made out to automatically populated? 18 A. That's correct. 19 Q. And it automatically populated 20 from the name and address table? 21 A. Correct. 22 Q. And the name and address table 23 contained the name and address for the account 24 holder? 25 MR. DEXTER: Objection, leading.</p>	<p style="text-align: right;">Page 72</p> <p>1 this describes, changed? 2 A. Yes, I do. I kind of remember, 3 maybe that is the reason why that's there. I 4 remember going into checks and if we have to -- 5 as the 1st Trustee, would populate because 6 that's the first thing in the account, name and 7 address. So you couldn't make out -- we 8 couldn't make the check payable to the 1st Trust 9 IRA and then the customer's name, so we'd have 10 to remove that and just leave the customer's 11 name on there. 12 Sometimes the name and address, I 13 believe, may have been so long that a lot of 14 stuff got put on two lines or like the first 15 line and the second line and the second line 16 would also print on the checks, which would 17 include the address, so we had to remove the 18 address from the check payable part. 19 Q. And when you removed the address, 20 it just left the account holder's name? 21 A. Account holder's name, yeah. 22 Q. And do you remember generating 23 checks like that when you first started? 24 A. Yes. 25 Q. And then later on that information</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. You can answer. 2 A. Correct, yes. 3 Q. And this handwritten note, does 4 this indicate a change to the process? 5 A. It seems that way because it 6 crossed out the information here. 7 (Indecipherable.) 8 Q. Could you actually read that into 9 the record. 10 A. I'm sorry. Reading to myself. 11 Q. That's okay. I'd appreciate it if 12 you'd read that in. 13 A. I'm sorry. 14 "For checks going out after 15 punching account number, you must check 'check 16 name' to see if it needs editing. Check name 17 should not have address information and should 18 make sense to you. Note, all 1st Trust IRA 19 accounts should be made payable to name on 20 account only and not to 1st Trust." 21 Q. Could you read that one last line. 22 A. "For checks coming in, you do not 23 need to edit the check name." 24 Q. Did you -- do you remember a time 25 when the process for checking the check name, as</p>	<p style="text-align: right;">Page 73</p> <p>1 was automatically populated? 2 A. Right. 3 Q. Into the check? 4 A. Right. So I'm thinking -- I'm now 5 remembering that perhaps when we were doing the 6 maintenance file folder it would say, like check 7 name or something, and we'd just put in the 8 check, the name of the customer or something 9 like that, so that's what it picked up, 10 something like that. So we'd pick up everything 11 else. 12 Unless the programmers, I can't 13 remember now. I really can't -- I'm sorry, I'm 14 thinking, I'm speaking out of line here. I'm 15 not sure now if the programmers may have already 16 just set up the system where when it sees 1st 17 Trust, it will take that out, just to keep the 18 name on there. 19 Q. You're thinking that that was a 20 change in the program? 21 A. Yes. Yes. 22 Q. Okay. So let's break that down 23 just a little bit. 24 So when you first started, you 25 followed this procedure here that you read into</p>

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20 (Pages 74 to 77)

Page 74	Page 76
<p>1 the record for us where you had to check the 2 check name? 3 A. Yes. That I remember. 4 Q. And you checked the check name to 5 ensure that only the account holder's name was 6 in the payee line? 7 A. That is correct. 8 Q. And then at some point the 9 computer system was changed or updated? 10 A. Right. 11 Q. So that you no longer had to check 12 the check name? 13 A. Correct. 14 Q. Because that information was 15 automatically pulled from the name and 16 address -- 17 MR. DEXTER: Objection, leading. 18 Q. -- because that information was 19 automatically pulled from the name and address 20 table? 21 A. Yes. 22 Q. So then that information had -- 23 okay. 24 So then -- and the name and 25 address information was the information that was</p>	<p>1 it. 2 Q. Did it include the journal entry 3 information? 4 A. I believe it did. 5 Q. And was it one journal per 6 check -- sorry. Strike that. 7 Was there a separate journal for 8 each check that was generated? 9 A. No. 10 Q. So -- 11 A. It would list everything that we 12 keyed in in memo01. So if we had ten checks 13 coming in or going out, it would list all ten on 14 that same sheet. If it only had one, it only 15 lists one, so forth. 16 Q. So did you print the check journal 17 multiple times throughout the process? 18 A. No. Normally when we do the 19 process, we do -- we get all the check-ins, and 20 we would then do it all in one time. 21 Q. So did you enter all the 22 information under memo01 -- 23 A. Um-hum. 24 Q. -- and then only run memo02 once 25 to actually print the items?</p>
Page 75	Page 77
<p>1 entered in for the customer's account? 2 A. Correct, yes. 3 Q. Meaning the account holder's name? 4 A. Correct. 5 MR. DEXTER: Objection, leading. 6 Q. Great. And then down below 7 there's a reference to the key memo02 on that 8 same page, 547 of Trustee's Exhibit 49? 9 A. Yes. 10 Q. Can you read from "key" and to the 11 end of the next paragraph there for us into the 12 record? 13 A. "Key memo02 and enter the date 14 worked with. Memo02 gives check journals with 15 entries, check forms, going out checks only, and 16 memos." 17 Q. So if I could -- so when you 18 printed the checks, did you print all -- did you 19 print the journals, the check forms and the 20 memos? 21 A. Yes. 22 Q. And what were the check journals? 23 A. They were computer, computer 24 paper, print-outs of what we had entered. So it 25 would show the customer's name and the amount on</p>	<p>1 A. Yes. 2 Q. And that's what this is referring 3 to here, where it says that memo02 gives you the 4 check journals with entries? 5 A. Correct. 6 Q. So you'd have gotten one check 7 journal with entries? 8 A. Correct. 9 Q. And then what are the check forms? 10 A. Outgoing checks only. The checks. 11 Seems like those are the checks. 12 Q. The checks themselves? 13 A. Yes. 14 Q. And then the memos, what are 15 those? 16 A. They're separate memos as well, 17 that show what transaction had happened. 18 Q. I just want to back up just a 19 second. 20 So when you printed the checks, 21 where did the check paper come from? 22 A. The actual paper check? 23 Q. Um-hum. 24 A. We had a stock of checks that we 25 used.</p>

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21 (Pages 78 to 81)

Page 78	Page 80
<p>1 Q. And what was preprinted on that 2 stock? 3 A. The name of the company. Of 4 course the account number in the end, and just 5 like a regular normal check, a blank check would 6 look like. 7 Q. And did you have multiple stocks? 8 A. Again, at the beginning we had two 9 different checks. We had the yellow checks and 10 we had green checks, yes. 11 Q. And what was the yellow check? 12 A. I believe it's for the CW's for 13 the customers that went out. 14 Q. And what were the green checks? 15 A. They're separate as noted in here, 16 the PW's. But again, that was only at the 17 beginning when I first started. I don't recall 18 it doing that at the end. 19 Q. So when you first started there 20 were yellow checks that you printed CW's on? 21 A. Um-hum. Yes. 22 Q. And there were green checks that 23 you printed PW's on? 24 A. Yes. 25 MR. DEXTER: Objection, leading.</p>	<p>1 Q. And could you read for the record 2 that line that is partially crossed out that 3 that note relates to. 4 A. Yes. "Check edit report to see if 5 'check name' needs editing." That's crossed 6 out, "if check name needs editing." 7 Q. Again, do you recognize the 8 handwriting? 9 A. No. 10 Q. What is the check edit report? 11 A. These are the monthly quarterly 12 reports that it's referring to. 13 Q. Okay. So were the check edit 14 reports reports identifying the monthly and 15 quarterly withdrawal checks? 16 A. Yes. According to this, yes. 17 Q. Did you work with those reports at 18 all? 19 A. Yes. Well, they would give us the 20 report to run the monthly quarterly. I 21 remember, it was like a big report and it had 22 names that we would -- I don't remember how 23 they -- list of reports, a list of names, that 24 were already on this monthly quarterly report, 25 and then I remember on the side there would be</p>
Page 79	Page 81
<p>1 Q. Your testimony a moment ago was 2 that there were green checks that you printed 3 the PW checks on, correct? 4 A. Yes. Well, as I recall, when -- 5 also in here it says to use the different 6 checks, so it would be the green checks. 7 Q. So at the beginning you remember 8 using two different checks? 9 A. That's correct. 10 Q. But at the end you only used one? 11 A. That I recall, yes. 12 Q. And at the end do you remember -- 13 what color were the checks that you used at the 14 end? 15 A. Yellow. 16 Q. Then if you could, I'd like to 17 direct your attention to the next page, which 18 ends with 548. 19 Again there, about halfway down 20 the page, do you see a handwritten note? 21 A. Yes. 22 Q. Could you read that into the 23 record for us. 24 A. "Check name now a function of 25 name/address."</p>	<p>1 some handwritten information of new -- of 2 checks -- of account numbers and amounts that we 3 would have to enter in. I guess to update the 4 monthly quarterly report, to add them to it. 5 So then once we do that, we run 6 the report and we verify what we keyed in is 7 there and accurate. 8 Q. And when you say they gave you the 9 printed report, who was that? 10 A. Well, mainly Jodi would give that 11 to us. 12 Q. So Jodi would have already had it 13 printed? 14 A. Yes. 15 Q. You didn't print the check, the 16 print that were check edited, for her? 17 A. No. Well, that report, actually 18 once we finished, like last month say, we have 19 the new report after all we key in, then that, I 20 think that is the same report that they give us 21 back. 22 Q. So at end of the month you printed 23 a report of all the checks for the prior month? 24 A. For the month that we're doing. 25 Q. The month that just ended?</p>

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22 (Pages 82 to 85)

Page 82	Page 84
<p>1 A. Right. So we'd enter everything. 2 Once that's done, then we give that to Winnie, 3 she does her thing with the checks and then I 4 guess they get -- then she gives it to Jodi or 5 to whomever, the monthly checks. 6 I guess as they get requests or so 7 they enter the customer's name or something on 8 the side, if they are not on the report, to add 9 them to the report for the next month. 10 Q. So you received back the printed 11 report with handwritten notations? 12 A. Correct. 13 Q. And what did you do with those 14 handwritten notations? 15 A. We then add them into the 16 monthly -- into the monthly check file. 17 Q. And what did those notations 18 consist of? 19 A. Again, the account number, the 20 customer's name and the amount. 21 Q. So these were -- these were 22 requests for monthly or quarterly checks? 23 A. Correct. 24 Q. So once that information was 25 entered into the computer system by you, the</p>	<p>1 Q. So the monthly and quarterly 2 checks would have been made out to the account 3 holder? 4 A. Correct. 5 Q. So I want to go back to page 6 ending in 545, so MADTSS00336545. 7 I'd like to direct your attention 8 to the bottom, the last two lines on the page. 9 A. Okay. 10 Q. And we talked about it a bit 11 before, but what does it mean to punch? 12 A. To enter, or to key in. 13 Q. So punching a check means what? 14 A. We're entering the information 15 into the system to create a check. 16 Q. And punching trades? 17 A. Entering the information into the 18 system. 19 Q. So can you read for me those last 20 two lines? 21 A. Okay. "PW - DT - CW equals," I 22 guess, "punch as field plus debits," and the 23 "CA, punch as field minus credits." 24 Q. So what does PW stand for? 25 A. Profit withdrawal.</p>
Page 83	Page 85
<p>1 next month that customer would receive a monthly 2 or quarterly check? 3 A. No. That month, because once we 4 get the report and we key in all that 5 information, then we run the checks. 6 Q. At sometime during that -- when 7 did you run the monthly checks? 8 A. I believe towards, at the end of 9 the month, I believe. 10 Q. And quarterly checks? 11 A. Every quarter. 12 Q. At the end of the quarter? 13 A. Yes. 14 Q. So when you received the report 15 back with a notation to add a customer for a 16 monthly check -- 17 A. Correct. 18 Q. -- at the end of that same month 19 that customer would receive a monthly check? 20 A. Yes. 21 Q. And for those monthly and 22 quarterly checks, based on this note and your 23 earlier testimony, the payee line would be auto 24 populated from the name and address table? 25 A. Correct.</p>	<p>1 Q. And DT, if you know? 2 A. I would assume it would be debit 3 transfer. 4 Q. Do you remember working with debit 5 transfer journal entries? 6 A. No. 7 Q. Then CW, what does that stand for? 8 A. Capital withdrawals. 9 Q. And you worked with capital 10 withdrawals? 11 A. Yes. 12 Q. And you worked with profit 13 withdrawals? 14 A. Yes. 15 Q. And so what does it mean that this 16 says PW, DT and CW are punched as field plus and 17 then debits? 18 A. Well, field plus meaning that if 19 after entering the amount we hit the field plus 20 button. So I guess that means to debit the 21 account. 22 Q. Okay. 23 A. And then any CA amounts would go 24 in, enter the amounts and then hit the field 25 minus key.</p>

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23 (Pages 86 to 89)

Page 86	Page 88
<p>1 Q. Did you perform this function as 2 part of your -- 3 A. Yes. 4 Q. -- generating checks? 5 A. Entering checks, yes. 6 Q. Did you follow this procedure 7 here, to generate those checks? 8 A. Yes. 9 Q. So, what does it mean to punch as 10 a debit? 11 A. I don't know. All I know, that 12 when I see PW's or CW's, they go as a positive, 13 so I just hit the field plus. You know, we 14 don't -- normally we don't all work with credits 15 or debits, it's not something that we're told to 16 debit this account, credit this account. 17 Q. But your understanding is PW and 18 CW were checks going out to the customer? 19 A. Correct. 20 Q. So they were withdrawals from 21 their account? 22 A. The PW. 23 Q. PW's and CW's were withdrawals 24 from the customers' accounts? 25 A. Yes.</p>	<p>1 Would she give you -- would Darlene give you one 2 at a time throughout the day? 3 A. She would give us, yeah, she gave 4 us one at a time or if she had a stack, she'd 5 give us a stack, yes. 6 Q. And so in this case, the name/ 7 address file maintenance form is part of a 8 larger document. If you flip back to the first 9 page ending in 329, would Darlene give you just 10 the name/address maintenance form? 11 A. No. Actually she'd give us the 12 file, the employee's file like this, and inside 13 the file this would be stapled to the cover of 14 the file. 15 Q. What do you mean by employee's 16 file? 17 A. The employ -- this is -- I'm 18 sorry, customer's file. I'm HR now. We called 19 it the customer's file, sorry. 20 Q. So Darlene would give you the 21 entire customer file? 22 A. Yes. 23 Q. And you just testified that the 24 name and address file maintenance form would be 25 stapled to the inside cover?</p>
Page 87	Page 89
<p>1 Q. And CA's were deposits to the 2 customers' accounts? 3 A. That's correct. 4 Q. Okay. I'd like to show you what's 5 been marked as Trustee's Exhibits 23 and 24. 6 If we could start with Trustee's 7 Exhibit 23. Do you recognize this document? 8 A. The name and address file 9 maintenance on page 2330. 10 Q. For the record, the witness is 11 referring to AMF00162330 which is Trustee's 12 Exhibit 23. 13 So you recognize this document? 14 A. Yes. 15 Q. And what is this document? 16 A. The name and address file 17 maintenance form that is given to us to enter 18 the customer's information into the system. 19 Q. Who would give this to you? 20 A. Who would actually hand these to 21 me? I'm thinking Darlene, Annette's secretary. 22 Q. Do you remember Darlene's last 23 name? 24 A. Conception. 25 Q. So how did the process work?</p>	<p>1 A. Yes. 2 Q. And then what would you do with 3 the name and address file maintenance form? 4 A. We'd make any updates or add-ons. 5 If they're new, we'd add them in. If there are 6 changes, sometimes they'd come with a change in 7 address, I would go in and update their change 8 address. 9 Q. And then what would you do? 10 A. Give it back after that. Then 11 we'd give it back to Darlene to file. 12 Q. Would you enter the updates or 13 additions that you made in your work log, 14 Trustee's Exhibits 55 and 56? 15 A. Not really. 16 Q. Why not? 17 A. I don't know. It wasn't really 18 like a procedure, I suppose, like where 19 everything was in a menu. I, you know, so we 20 don't get these often. It's just there was 21 sometimes they'll come in and have an address 22 change, just update the address. I don't recall 23 entering them sometimes in the log. 24 Q. Do you remember a time when you 25 had to make a lot of updates to the name and</p>

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24 (Pages 90 to 93)

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<p>1 address file maintenance?</p> <p>2 A. No, I can't recall.</p> <p>3 Q. Looking now at AMF00162330, do you</p> <p>4 recognize the handwriting on this page?</p> <p>5 A. No. Only the group name looks</p> <p>6 like it's Annette's, but I don't recognize the</p> <p>7 others.</p> <p>8 Q. So for the record, that's in the</p> <p>9 third portion of the page, group name, open</p> <p>10 parens, 10, close paren, Hanoh Charat, that</p> <p>11 handwriting you believe is Annette Bongiorno's?</p> <p>12 A. Yes.</p> <p>13 Q. Below that area there, do you see</p> <p>14 a line, a column on the left that says Type 1</p> <p>15 through 6?</p> <p>16 A. Yes.</p> <p>17 Q. And then across the top --</p> <p>18 A. Yes.</p> <p>19 Q. Go ahead.</p> <p>20 A. It gives you columns of profits,</p> <p>21 dividends and interests and there's a note that</p> <p>22 says "S" for send and "R" to reinvest.</p> <p>23 Q. And what -- then below that do you</p> <p>24 see any entries there?</p> <p>25 A. Yes.</p>	<p>1 check?</p> <p>2 A. 2,688.50.</p> <p>3 Q. And then do you recognize the</p> <p>4 signature on the check?</p> <p>5 A. Looks like Walter.</p> <p>6 Q. Walter, what was Walter's last</p> <p>7 name?</p> <p>8 A. I don't remember.</p> <p>9 Q. If I said it was Tiletnick, does</p> <p>10 that --</p> <p>11 MR. DEXTER: Objection, leading.</p> <p>12 Q. Does that refresh your memory?</p> <p>13 A. Yes, I remember Tiletnick.</p> <p>14 Q. Once you printed the checks, did</p> <p>15 you give them -- were they signed?</p> <p>16 A. When we print them out, no,</p> <p>17 they're not signed.</p> <p>18 Q. So the checks that you left for</p> <p>19 Winnie, Winnie Jackson at night, were unsigned?</p> <p>20 A. That's correct.</p> <p>21 Q. Then also on this check there's a</p> <p>22 "for" line?</p> <p>23 A. Yes.</p> <p>24 Q. And what information, can you read</p> <p>25 that for us?</p>
Page 91	Page 93
<p>1 Q. What do you see?</p> <p>2 A. It looks like the profits are to</p> <p>3 be sent, or to send profits.</p> <p>4 Q. Does that mean that the customer</p> <p>5 received the profits?</p> <p>6 A. I would assume so. I don't know.</p> <p>7 Q. Does this mean to you that profit</p> <p>8 withdrawal checks were sent for this account?</p> <p>9 A. Looking at this, yes.</p> <p>10 Q. Now, if we could take a look at</p> <p>11 Exhibit 24. Do you recognize this document?</p> <p>12 A. Yes. This is a check.</p> <p>13 Q. Does it look like the checks that</p> <p>14 you would print from the BLMIS computer system?</p> <p>15 A. Yes.</p> <p>16 Q. And could you describe the Exhibit</p> <p>17 24 for me, please. What account was it drawn</p> <p>18 on? What's the name of the account holder?</p> <p>19 Excuse me.</p> <p>20 A. Oh, okay. Bernard L. Madoff.</p> <p>21 Q. And the date of the check?</p> <p>22 A. January 5th, 1999.</p> <p>23 Q. And who is the check made out to?</p> <p>24 A. I can't pronounce. Hanoh Charat.</p> <p>25 Q. And what's the amount of the</p>	<p>1 A. That is the account number.</p> <p>2 Q. And what's the account number that</p> <p>3 the check --</p> <p>4 A. 1-C1047-1.</p> <p>5 Q. So when you generated a check for</p> <p>6 a customer, did you have to enter in the account</p> <p>7 number for the "for" line?</p> <p>8 A. We enter in the account number</p> <p>9 when we enter in -- when you go into the memo</p> <p>10 line you have to enter an account number to tell</p> <p>11 what account number it's for.</p> <p>12 Q. Did that auto populate on the</p> <p>13 check?</p> <p>14 A. Yes, it did.</p> <p>15 Q. So this is the type of check that</p> <p>16 you punched and printed daily at BLMIS?</p> <p>17 A. Correct.</p> <p>18 Q. Would this check have been listed</p> <p>19 on the customer statement at the end of the</p> <p>20 month?</p> <p>21 A. Yes.</p> <p>22 Q. And would it have been listed as a</p> <p>23 debit?</p> <p>24 A. Yes.</p> <p>25 Q. Would it have been listed as a</p>

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25 (Pages 94 to 97)

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<p>1 withdrawal from the account?</p> <p>2 A. Yes.</p> <p>3 Q. So just one more -- on the check,</p> <p>4 can you tell me which of these fields were</p> <p>5 automatically populated by the name and address</p> <p>6 table?</p> <p>7 A. The pay to the order of.</p> <p>8 Q. Did any of the other information</p> <p>9 automatically fill in?</p> <p>10 A. Well, the account number. And,</p> <p>11 well, we entered the date when we first start</p> <p>12 the memo, once we enter that, and then that</p> <p>13 would populate in there.</p> <p>14 Q. But you typed in the date?</p> <p>15 A. Right.</p> <p>16 Q. And you typed in the amount?</p> <p>17 A. That's correct.</p> <p>18 Q. If we can, just go back to</p> <p>19 Trustee's Exhibit 49 for one more moment. I</p> <p>20 direct your attention to the page ending in 550.</p> <p>21 So MADTSS00336550.</p> <p>22 Could you read the title of this</p> <p>23 page for us.</p> <p>24 A. "Name and Address File</p> <p>25 Maintenance."</p>	<p>1 Q. So the witness is referring to</p> <p>2 Trustee's Exhibit 23. Okay.</p> <p>3 And which document is that?</p> <p>4 What's the title of that document that you're</p> <p>5 referring to? The name/address?</p> <p>6 A. The name/address file maintenance.</p> <p>7 Q. Form.</p> <p>8 A. Yes.</p> <p>9 Q. And that's AMF00162330.</p> <p>10 So, you would update the</p> <p>11 information from the name and address file</p> <p>12 maintenance form in the computer system using</p> <p>13 the procedure set forth on Exhibit 49 at 550?</p> <p>14 A. Correct.</p> <p>15 Q. And was the procedure the same for</p> <p>16 opening new accounts as it was for making</p> <p>17 changes?</p> <p>18 A. Well, we have different action</p> <p>19 codes, yes, but it's the same screen.</p> <p>20 Q. By procedure I mean you received</p> <p>21 the form?</p> <p>22 A. Yes.</p> <p>23 Q. You entered it into the computer?</p> <p>24 A. Yes.</p> <p>25 Q. So a moment ago, looking again at</p>
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<p>1 Q. And then the memo referenced below</p> <p>2 that?</p> <p>3 A. Menu Namenu.</p> <p>4 Q. And so could you take a look at</p> <p>5 this page.</p> <p>6 A. (Witness complies.)</p> <p>7 MR. DEXTER: Which page are we on?</p> <p>8 MS. ACKERMAN: 550.</p> <p>9 Q. Does this page represent the</p> <p>10 procedure you would have followed to update a</p> <p>11 customer maintenance file?</p> <p>12 A. Yes.</p> <p>13 Q. Would you have used the Namenu</p> <p>14 menu?</p> <p>15 A. Yes.</p> <p>16 Q. And this procedure also refers to</p> <p>17 the BLMIS computer system, correct?</p> <p>18 A. Yes.</p> <p>19 Q. And so the information you would</p> <p>20 enter in to use this -- so following this</p> <p>21 procedure, where would the information have come</p> <p>22 from that you would have updated in the computer</p> <p>23 system?</p> <p>24 A. From the file that was handed to</p> <p>25 me with the file maintenance information.</p>	<p>1 the page ending in 330, a moment ago we were</p> <p>2 talking about the notation of "S" equals send</p> <p>3 and "R" equals reinvest?</p> <p>4 A. Yes.</p> <p>5 Q. And you -- what do you -- one more</p> <p>6 time, what do you understand the "S" to mean?</p> <p>7 A. As the note says, send.</p> <p>8 Q. And the "R"?</p> <p>9 A. To reinvest.</p> <p>10 Q. Did you update the name and</p> <p>11 address file maintenance in the BLMIS computer</p> <p>12 system to reflect whether there was a send or a</p> <p>13 reinvest for an account?</p> <p>14 A. Yes.</p> <p>15 Q. So you would have entered in an</p> <p>16 "S" for profits in the computer system?</p> <p>17 A. Yes.</p> <p>18 Q. Again looking at Trustee's Exhibit</p> <p>19 49, and turning to page ending in 551, so</p> <p>20 MADTSS00336551.</p> <p>21 A. Yes.</p> <p>22 Q. So at the top there could you read</p> <p>23 that first portion in for the record.</p> <p>24 A. "For profit/dividend/interest, S -</p> <p>25 send, R - reinvest." You want me to go on?</p>

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<p>1 Q. No, that's okay, thank you.</p> <p>2 So this, would you have entered an</p> <p>3 "S" or an "R" into the computer system?</p> <p>4 A. Yes.</p> <p>5 Q. Based on the name and address</p> <p>6 form?</p> <p>7 A. Correct.</p> <p>8 Q. And this would have been stored in</p> <p>9 the name and address table as well?</p> <p>10 A. Yes, because this is -- I'm</p> <p>11 entering it in the name and address.</p> <p>12 Q. And so did you -- sorry.</p> <p>13 When you changed an account from</p> <p>14 an "S" to an "R," did the customer no longer</p> <p>15 receive a check?</p> <p>16 A. I don't know.</p> <p>17 Q. So a moment ago you testified that</p> <p>18 you entered the "S" or the "R" into the name and</p> <p>19 address table, correct?</p> <p>20 A. Correct.</p> <p>21 Q. And that the "S" means that</p> <p>22 profits were sent?</p> <p>23 A. That's what it -- that's what it</p> <p>24 says, that's what I'm gathering.</p> <p>25 MR. DEXTER: Could I just say, if</p>	<p>1 Q. Whose folders?</p> <p>2 A. Customers. Sorry.</p> <p>3 Q. No problem. Thank you.</p> <p>4 And then four lines down from that</p> <p>5 there's another entry.</p> <p>6 A. Four lines, yeah, four, update</p> <p>7 name and address.</p> <p>8 Q. Um-hum.</p> <p>9 A. Yes.</p> <p>10 Q. And whose handwriting is that?</p> <p>11 A. Dorothy.</p> <p>12 Q. Is there a difference between menu</p> <p>13 Namenu changes and update name and address</p> <p>14 changes?</p> <p>15 A. No.</p> <p>16 Q. It's the same?</p> <p>17 A. The same.</p> <p>18 Q. And they both refer to what?</p> <p>19 A. Customer account changes. It</p> <p>20 sounds like address changes.</p> <p>21 Q. But these update --</p> <p>22 A. The maintenance folder, the</p> <p>23 customer maintenance folder.</p> <p>24 Q. And so these changes would have</p> <p>25 been driven by you or Dorothy receiving the name</p>
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<p>1 you don't know the answer, you don't have to</p> <p>2 extrapolate from what the papers say.</p> <p>3 THE WITNESS: Okay.</p> <p>4 Q. You can answer however you'd like.</p> <p>5 MR. DEXTER: That's also true.</p> <p>6 Q. All right.</p> <p>7 So I'd like to go back to</p> <p>8 Trustee's Exhibit 55 for a moment. I'd like to</p> <p>9 turn to page ending in 8821.</p> <p>10 So if you could, could you tell us</p> <p>11 what page this -- what date this page refers to?</p> <p>12 A. It has both December 6th and</p> <p>13 December 7th.</p> <p>14 Q. So looking at the portions related</p> <p>15 to December 6th.</p> <p>16 A. Okay.</p> <p>17 Q. About six lines up from the bottom</p> <p>18 of the December 6, do you see your handwriting?</p> <p>19 A. Yes, I do.</p> <p>20 Q. And do you see --</p> <p>21 A. Namenu changes.</p> <p>22 Q. Okay. And what does that refer</p> <p>23 to, that procedure?</p> <p>24 A. I must have did some changes into</p> <p>25 employees' folders that day.</p>	<p>1 and address form?</p> <p>2 A. On the -- yeah, their files, the</p> <p>3 customers' files, yes.</p> <p>4 Q. Thank you. Okay, you can set that</p> <p>5 aside for now.</p> <p>6 I'd like to direct your</p> <p>7 attention -- I'm going to hand you now what's</p> <p>8 been marked as Trustee's Exhibit 57. Take a</p> <p>9 look at that and let me know when you're ready</p> <p>10 to answer some questions.</p> <p>11 A. (Witness complies.) Okay.</p> <p>12 Q. Do you recognize this document?</p> <p>13 A. Yes, it looks like a customer</p> <p>14 folder.</p> <p>15 Q. Can you tell me which account</p> <p>16 number it relates to?</p> <p>17 A. Looks like it had two account</p> <p>18 numbers but I believe it's the A -- 1A002810.</p> <p>19 Q. Thank you.</p> <p>20 A. You're welcome.</p> <p>21 Q. Where would you find this folder</p> <p>22 at BLMIS?</p> <p>23 A. They had file cabinets that was</p> <p>24 lined up in front of Annette's office, in that</p> <p>25 area.</p>

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<p>1 Q. And did you pull files from those 2 file cabinets? 3 A. Generally, no, Dorothy and I did 4 not, no. 5 Q. And did you put them back ever? 6 A. No. I mean, I've probably been in 7 one before to pull a file if they needed to have 8 pulled, and then put it back, but we normally 9 don't go in there. 10 Q. So as a part of your normal 11 responsibilities at BLMIS, did you file? 12 A. No. 13 Q. Thank you. Turning to page 14 MADTBB03079123, do you recognize this document? 15 A. Yes. 16 Q. And what do you recognize this 17 document to be? 18 A. The name and address file 19 maintenance. 20 Q. For which account? 21 A. For account number A0028. 22 Q. And where do you see that number? 23 A. Up in the account number line, 24 second line. 25 Q. Could you read that whole line for</p>	<p>1 A. Send, and R for receive -- 2 reinvest. 3 Q. Do you have an understanding as to 4 why there would be multiple S's and R's on this 5 page? 6 A. No. 7 Q. If you would see -- when you 8 received a name and address file maintenance 9 form that had multiple -- had an "S" and/or an 10 "R," what would you typically have done with it? 11 A. Normally what happens is normally 12 on the back of the employee's folder it would 13 tell us what needs to be done. 14 Q. Okay. 15 A. So if she's changing it from -- 16 Q. Just to clarify, you said 17 employee's folder, but -- 18 A. Customer's folder. 19 Q. You mean the customer's folder? 20 A. Yes, customer's folder. I'm so 21 sorry. 22 Q. That's all right. Thank you. 23 I'd like to direct your attention 24 to the last page of Trustee's Exhibit 57. Do 25 you want to flip all the way to the end.</p>
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<p>1 me? 2 A. Account number (6) 1A0028-10. 3 Q. And then down below do you see -- 4 first, do you recognize any of the handwriting 5 on this page? 6 A. Yes. 7 Q. What do you recognize? 8 A. Annette's Bongiorno's handwriting. 9 Q. What are you referring to for 10 that? 11 A. The name of the customer and the 12 address is written by her. 13 Q. Would that be line 1? 14 A. Line 1, for the city, the state, 15 the zip. And then down below, the short name, 16 starts with social security ID and the group 17 name. 18 Q. Anything else? 19 A. Yeah, below where S's and R's and 20 the account number. 21 Q. Whose handwriting do you recognize 22 that to be? 23 A. It looks like Annette's, 24 Bongiorno's. 25 Q. And what do the S's and R's mean?</p>	<p>1 MADTBB03079156. 2 A. Yes. 3 Q. So a moment ago you referenced 4 notations on the folder cover? 5 A. Yes. So this is on the back 6 cover. They would give us instructions on what 7 needs to be changed on the customer's file. And 8 so in this case there were changes to change to 9 "R," to change to "S" and so forth. 10 Q. So when you say they would give 11 you instructions, who are you referring to? 12 A. Depending on who it's coming from, 13 in this case it came from Annette. 14 Q. Who else might it have come from? 15 A. Jodi. 16 Q. Anyone else? 17 A. Sometimes Frank. 18 Q. Frank DiPascali? 19 A. Yes. 20 Q. So based on your testimony a 21 moment ago -- actually, could you just read that 22 last line, the last handwritten line there for 23 me. 24 A. I can't make out the month, but it 25 says 20/1995, change to R, and my initials.</p>

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<p>1 Q. And is the date and the "change to</p> <p>2 R" your handwriting?</p> <p>3 A. "Change to R," no. My initials is</p> <p>4 my handwriting.</p> <p>5 Q. So based on your testimony a</p> <p>6 moment ago, you would have received the folder?</p> <p>7 A. Yes.</p> <p>8 Q. In this instance you received the</p> <p>9 folder?</p> <p>10 A. Um-hum.</p> <p>11 Q. On the back cover it would have</p> <p>12 this date?</p> <p>13 A. Yes.</p> <p>14 Q. And "change to R"?</p> <p>15 A. Yes.</p> <p>16 Q. You would take the folder?</p> <p>17 A. Yes.</p> <p>18 Q. What would you do?</p> <p>19 A. I would then go into the</p> <p>20 customer's file maintenance and enter or make</p> <p>21 the change to the bottom where it says "R" -- I</p> <p>22 mean "S," to all say "R." In the system.</p> <p>23 Q. When you went into the computer</p> <p>24 system for the account maintenance file, did</p> <p>25 that screen look like the document at 123?</p>	<p>1 after that?</p> <p>2 A. Then give it back -- give it to</p> <p>3 Darlene to file.</p> <p>4 Q. Okay, I'd like to go back to</p> <p>5 Trustee's Exhibit 55 for a moment, your work</p> <p>6 logs, and I'd like to go to page ending in 8867.</p> <p>7 Can you tell me what date this page refers to?</p> <p>8 What work date this page references?</p> <p>9 A. July 19th and the 20th and the</p> <p>10 21st.</p> <p>11 Q. Is there an entry here in your</p> <p>12 handwriting that would correspond to your making</p> <p>13 a change to the send or reinvest status in an</p> <p>14 account?</p> <p>15 A. No, it doesn't look like it.</p> <p>16 Q. Let me ask you a different</p> <p>17 question.</p> <p>18 On July 20th, the third line from</p> <p>19 the end of those entries, cash1702, 7/20 and</p> <p>20 save, W2 Alethea.</p> <p>21 A. Okay.</p> <p>22 Q. What function would that have</p> <p>23 been, what procedure would that have been to</p> <p>24 perform?</p> <p>25 A. Cash1702, that's the cash and</p>
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<p>1 A. Pretty much, yes.</p> <p>2 Q. So on the bottom portion of the</p> <p>3 screen there would be a line that said profits,</p> <p>4 dividends, interest?</p> <p>5 A. Correct.</p> <p>6 Q. And then along the left the Type 1</p> <p>7 through 6?</p> <p>8 A. I believe so, yes. I know that</p> <p>9 there were multiple rows. I don't know if they</p> <p>10 were like 1 through 6, but I know there were</p> <p>11 multiple rows.</p> <p>12 Q. And to effect the changes</p> <p>13 reflected here on the back of the cover...</p> <p>14 A. Yes.</p> <p>15 Q. ...you would enter in an "R" where</p> <p>16 there was an "S"?</p> <p>17 A. Yes.</p> <p>18 Q. Would it be filled with S's?</p> <p>19 A. Yes. Like the whole thing -- we</p> <p>20 would fill everything with S's. And then R,</p> <p>21 change it to everything with R's.</p> <p>22 Q. And then you would initial the</p> <p>23 folder?</p> <p>24 A. Yes.</p> <p>25 Q. And what would you do with it</p>	<p>1 security settlement.</p> <p>2 Q. At the time you worked at BLMIS,</p> <p>3 was it your understanding that if an account was</p> <p>4 marked send, the customer received a check?</p> <p>5 A. I don't know.</p> <p>6 Q. At the time you worked at BLMIS,</p> <p>7 did you have an understanding of what reinvest</p> <p>8 meant?</p> <p>9 A. Only like what I would think, but</p> <p>10 nobody told me.</p> <p>11 Q. Okay. I'd like to show you what's</p> <p>12 previously been marked as Trustee's Exhibit 30.</p> <p>13 Do you recognize Exhibit 30? This</p> <p>14 one is a little out of order. If I could direct</p> <p>15 your attention to the last three pages of the</p> <p>16 exhibit, starting MADTBB01989845.</p> <p>17 Do you recognize this?</p> <p>18 A. It looks like a customer's folder.</p> <p>19 Q. If I could direct your attention</p> <p>20 to 847, two pages later.</p> <p>21 A. Okay. The name and address file</p> <p>22 maintenance.</p> <p>23 Q. And for which account?</p> <p>24 A. For account number 1H0009-10.</p> <p>25 Q. And down below in the profits/</p>

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<p>1 dividend/interest area, can you tell me what the 2 send or reinvest status is? 3 A. It looks like it currently says 4 "S." 5 Q. Then down below, do you recognize 6 the handwriting there? 7 A. No. No, I do not. 8 Q. Okay. If you could, could you 9 turn the page to 848, please. Could you read 10 the third line for the record for us, please. 11 A. "Change to send." Date, I'm 12 sorry, September 26, 1995, change to send. 13 Q. And are there initials there? 14 A. Yes. Mine. 15 Q. Is that your handwriting, the 16 "change to send"? 17 A. No. 18 Q. I'd like to go back to 55 for one 19 moment to page 843. Can you tell me what date 20 this work log is for? 21 A. September 25th, 26th and the 27th. 22 Q. And on the 26th, five lines down, 23 is that your handwriting? 24 A. Yes, that is. 25 Q. Can you read it, for the record.</p>	<p>1 documents inside. 2 Q. So when you received the folder 3 you only focused on the name and address folder? 4 A. The name and address. The name 5 and address sheet on the cover of the folder. 6 Q. Did you ever receive 7 correspondence from customers? 8 A. No. 9 Q. Did you ever speak with customers 10 on the telephone? 11 A. No. 12 MS. ACKERMAN: Can we go off the 13 record. 14 THE VIDEOGRAPHER: The time is 15 12:28 p.m. We are going off the record. 16 (Recess taken.) 17 THE VIDEOGRAPHER: The time is 1 18 p.m. We are back on the record. 19 BY MS. ACKERMAN: 20 Q. I'd like to now show you what's 21 been previously marked as Trustee's Exhibit 36. 22 Do you recognize this Exhibit 36? 23 A. Yes. 24 Q. What is it? 25 A. Customer folder.</p>
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<p>1 A. "Menu Namenu and changes." 2 Q. And what does that procedure 3 reference? 4 A. Any changes to the customer's -- 5 to a customer's account. 6 Q. Okay. And so referring back to 7 Trustee's Exhibit 30, the last page there with 8 the notation with your initials. 9 A. Yes. 10 Q. Does the procedure log entry 11 correspond to that update to that customer file? 12 A. Yes. There probably would be, 13 yes. 14 Q. Once you made that change to 15 Exhibit 30, would you have noted in the 16 procedure log that you made an update to the 17 customer's file? 18 A. I did here. Yeah, so... 19 Q. Okay. Looking at Exhibit 30, I'd 20 like to direct your attention to the page ending 21 in 952, towards the back. 22 Do you recognize this document? 23 A. Just looks like a letter note. I 24 wouldn't -- when I receive the customer's 25 folder, I don't go through them to look at the</p>	<p>1 Q. And if I could direct your 2 attention to the page ending in 419. What is 3 MADTBB01988419? 4 A. It's the name and address file 5 maintenance sheet. 6 Q. And down below in the profits/ 7 dividends/interest section. 8 A. Shows an "S." 9 Q. And do you recognize the 10 handwriting next to the "S"? 11 A. No. 12 Q. What does the "S" indicate here? 13 A. Send. 14 Q. Okay. 15 MS. ACKERMAN: I'd like to mark 16 this as Trustee's Exhibit 59. 17 (Trustee's Exhibit 59 marked for 18 identification.) 19 Q. Do you recognize Trustee's Exhibit 20 59? 21 A. Looks like a copy of a statement. 22 Q. A customer statement? 23 A. Yes, a customer statement. 24 Q. For which account? 25 A. For account number B0022, Aaron</p>

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<p>1 Beckler (phonetic).</p> <p>2 Q. I'd like to direct your attention</p> <p>3 to the first transaction. First, let me ask</p> <p>4 this. Sorry, what was the customer name on the</p> <p>5 account again?</p> <p>6 A. Aaron Beckler.</p> <p>7 Q. And what month is this customer</p> <p>8 statement for?</p> <p>9 A. September 30th, 1996.</p> <p>10 Q. And the first transaction that's</p> <p>11 listed here on the customer statement, do you</p> <p>12 see that? Could you read that across, the first</p> <p>13 line.</p> <p>14 A. The report or the date -- oh.</p> <p>15 September 5th. Check safeguard PW. 3838 --</p> <p>16 3,838.25.</p> <p>17 Q. And do you understand what that</p> <p>18 transaction is?</p> <p>19 A. To me it's a check.</p> <p>20 Q. So does this mean a check was sent</p> <p>21 to the customer for his account?</p> <p>22 A. It looks like it was a withdrawal</p> <p>23 from the account, yes.</p> <p>24 Q. Thank you.</p> <p>25 I'd like to direct your attention</p>	<p>1 been marked as Trustee's Exhibit 42.</p> <p>2 MS. ACKERMAN: And I'd like to</p> <p>3 mark this as Trustee's Exhibit 60.</p> <p>4 (Trustee's Exhibit 60 marked for</p> <p>5 identification.)</p> <p>6 Q. Turning to Trustee's Exhibit 42,</p> <p>7 do you recognize this?</p> <p>8 A. Yes, it's the customer's folder</p> <p>9 again.</p> <p>10 Q. And for which account?</p> <p>11 A. B0025, Arthur and Sofie Beckler.</p> <p>12 Q. I'd like to direct your attention</p> <p>13 to MADPBB01988423.</p> <p>14 A. Yes.</p> <p>15 Q. And then could you -- and what is</p> <p>16 this document?</p> <p>17 A. It's the name and address file</p> <p>18 sheet.</p> <p>19 Q. And do you see the account number</p> <p>20 listed there?</p> <p>21 A. Yes.</p> <p>22 Q. And what is that, for the record?</p> <p>23 A. B0023.</p> <p>24 Q. So Trustee's Exhibit 42 refers to</p> <p>25 1B0023?</p>
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<p>1 back to Trustee's Exhibit 56, your work log for</p> <p>2 1996. I'd like to draw your attention to the</p> <p>3 page ending in 7565. Can you tell me what date,</p> <p>4 what work date this --</p> <p>5 A. September 3rd and September 4th.</p> <p>6 Q. And for September 4th, nine lines</p> <p>7 from the bottom, is that your handwriting?</p> <p>8 A. Checks, yes.</p> <p>9 Q. And could you read that entry for</p> <p>10 us, for the record.</p> <p>11 A. "Checks CA 9/4, CW and PW 9/5."</p> <p>12 Q. Does this entry mean that checks</p> <p>13 were printed for -- excuse me. Does this mean</p> <p>14 that PW and CW checks were printed --</p> <p>15 A. Printed, yes.</p> <p>16 Q. 9/5?</p> <p>17 A. Yes.</p> <p>18 Q. 9/5/1996?</p> <p>19 A. Yes.</p> <p>20 Q. Does that correspond to the</p> <p>21 customer statement we were just reviewing for</p> <p>22 1B0022?</p> <p>23 A. It does, yes.</p> <p>24 Q. Thank you.</p> <p>25 I'd like to now show you what's</p>	<p>1 A. Yes. Looks like 23.</p> <p>2 Q. Thank you.</p> <p>3 And drawing your attention down to</p> <p>4 the bottom to the profits/ dividends/interest</p> <p>5 area, is this account an "S" or an "R"?</p> <p>6 A. It shows an "S."</p> <p>7 Q. And that means? An "S" refers to?</p> <p>8 A. Send.</p> <p>9 Q. I'd like to refer your attention</p> <p>10 to Trustee's Exhibit 60. Do you recognize this</p> <p>11 document?</p> <p>12 A. Yup. It's a copy of their</p> <p>13 statement for Arthur and Sofie Beckler, account</p> <p>14 number B0023, September 30th, 1996 statement.</p> <p>15 Q. Thank you. And then the first</p> <p>16 transaction there, could you read that into the</p> <p>17 record for us.</p> <p>18 A. September 5th, check safeguard PW,</p> <p>19 7,231.50.</p> <p>20 MR. DEXTER: I don't know if I</p> <p>21 have Exhibit 60. Did you give me that? This</p> <p>22 one is 59, correct?</p> <p>23 MS. ACKERMAN: Right.</p> <p>24 MR. DEXTER: I thought this was</p> <p>25 marked 59?</p>

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<p>1 MS. BROWN: They're two separate 2 accounts. 3 MR. DEXTER: Okay. This is 60. 4 Q. So there's a September 5th 5 transaction there on that customer statement as 6 you just testified to? 7 A. That's correct. 8 Q. And referring back to Trustee's 9 Exhibit 55, page ending in 7565. 10 A. Um-Hum. 11 Q. The transaction for -- is there an 12 entry there by you referencing profit withdrawal 13 checks for September 5th? 14 A. Yes. Checks CA 9/4, CW and PW for 15 9/5. 16 Q. And that would correlate back to 17 the customer statement, correct? 18 A. Those are the checks that were 19 issued that day. 20 Q. That day, okay. 21 I'd like to now show you what's 22 been previously marked as Trustee's Exhibit 39 23 and 40. Do you recognize these documents? 24 A. These are reports that we 25 processed or run.</p>	<p>1 Do you recognize this document as 2 well? 3 A. This is the management report, the 4 arbitrage portfolio management report, yes. 5 Q. And you printed this report as 6 part of your work at BLMIS? 7 A. Yes. 8 Q. How often did you print it? 9 A. Again, I think it's once a month 10 with the arbitrage portfolio transaction report. 11 Q. And who did you give this report 12 to once you printed it? 13 A. Annette Bongiorno. 14 Q. And did you print it automatically 15 or did Annette request it? 16 A. I'm trying to remember whether or 17 not it was a request when she gave, that she 18 wants the portfolio management report to run, 19 that she'd ask for me to do it, run. I can't 20 recall. 21 Q. That's fine. Thank you. 22 I'm now going to show you what's 23 been previously marked as Trustee's Exhibits 44 24 and 45. I just have a couple more questions. 25 This is 44; this is 45. Do you</p>
Page 119	Page 121
<p>1 Q. When you say "we," who do you 2 mean? 3 A. Dorothy and I would run. 4 Q. And when you say run, do you mean 5 print? 6 A. Yes. 7 Q. So, starting with Exhibit 40, can 8 you tell me what the title of this report is? 9 A. "Arbitrage Portfolio Transaction." 10 Q. And what is your understanding of 11 the information that's included on this report? 12 A. I don't know what it -- I mean, I 13 just run the report and give it to Annette 14 Bongiorno, but that's all -- when looking at the 15 report, which I see it says PW's and CA's, which 16 are debits and the credits of the employ -- of 17 the customer's account. 18 Q. How often did you run these 19 reports -- how often did you run Trustee Exhibit 20 40? 21 A. Arbitrage portfolio transaction 22 report. I'm thinking once a month. Yeah, a 23 monthly thing. 24 Q. Okay, great. Then if we could 25 turn to Exhibit 30 -- 39, excuse me.</p>	<p>1 recognize these documents? 2 A. They look like the customer's 3 folders. Except for that, I don't remember that 4 being there. 5 Q. And that's Trustee's Exhibit 45. 6 Let the record show the witness referenced 7 AMF00154158 and indicated that she did not 8 recognize the markings at the bottom. 9 Correct? 10 A. Correct. 11 Q. Okay, that's fine. 12 If we could start with Trustee's 13 Exhibit 44. Would you turn to the page ending 14 in 126. Do you recognize this document? 15 A. Yes. This is a screenshot of the 16 customer maintenance folder for the file that we 17 do in the system. 18 Q. And under the profits/dividend/ 19 interest section, what is the status of this 20 account? Is it an "S" or an "R"? 21 A. "S." 22 Q. Do you know what the X through the 23 columns there represents? 24 A. No. 25 Q. Your earlier testimony was that</p>

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<p>1 when you updated the customer file maintenance 2 screen in the BLMIS computer system, that all of 3 the fields were filled in with either an "S" or 4 an "R." Is that correct? 5 A. Correct. 6 Q. And is this how it would appear on 7 the AS/400? 8 A. On the computer screen, yes. 9 Q. Referring to page ending in 126. 10 A. Yes. Except for the handwritten 11 stuff, of course. 12 Q. Yes. Do you recognize the 13 handwriting on this document? 14 A. I recognize Dorothy's initials at 15 the bottom there. I'm not sure of the Rev Trust 16 part, I'm not sure whose handwriting is that. 17 Q. Do you have an understanding of 18 why Dorothy would have initialed this sheet? 19 A. No. 20 Q. I'd like to draw your attention to 21 Trustee's Exhibit 45, the page ending in 159, 22 AMF00154159. So this one. And the page ending 23 in 159. 24 A. Okay. 25 Q. Do you recognize this document?</p>	<p>1 A. This is also the name and address 2 customer maintenance. 3 Q. Is the information on Trustee's 4 Exhibit 36, page ending in 419, the same as the 5 information included on Trustee Exhibit 45, page 6 ending 159? 7 A. The only difference is that on 8 Exhibit 36 it only shows Aaron Beckler, and on 9 45 it has Arthur and Sofie Beckler. 10 Q. Okay, thanks. Is the information 11 that would generally be contained -- 12 A. Oh. 13 Q. -- on 418, the same as the 14 information that would be represented on 159? 15 A. Yes. 16 Q. Was one document older than the 17 other? 18 A. Yes. 19 Q. Which is the older of the two 20 documents? 21 A. The -- well, not the computer 22 printout; the handwritten. 23 Q. Why did both -- sorry. 24 Did there come a time when the 25 document at 419 was stopped -- that BLMIS</p>
Page 123	Page 125
<p>1 A. Yes. This is also a screenshot of 2 the customer's maintenance file. 3 Q. And is this an "S" or an "R" 4 account? 5 A. An "S." 6 Q. And is this as this screen would 7 have appeared on the computer system? 8 A. Correct, yes. 9 Q. And if this account were changed 10 from an "S" to an "R"? 11 A. You would see the "R," the "R" 12 would show. 13 Q. So in the columns entitled 14 profits, dividends and interest, where each line 15 is an "S," each line would be changed to an "R"? 16 A. Correct. 17 Q. If you could hold that for one 18 moment, I'd like to ask you to look back at 19 Trustee's Exhibit 36. 20 THE VIDEOGRAPHER: Excuse me, 21 counsel. Five minutes. 22 Q. I'd like to direct your attention 23 to the page ending in 419. 24 A. Yes. 25 Q. What is this page?</p>	<p>1 stopped using that document? 2 A. No. 3 Q. Why would both documents exist in 4 the customer files? If you know. 5 A. I'm thinking that this is a 6 printout of the old account number, B0023, and 7 we had opened up a new account, B0157, for this. 8 She just printed out the screen of the old just 9 to open up a new account with the same 10 information. 11 Q. So the printout from the old 12 account became the name and address maintenance 13 file form for the new account? 14 A. Correct. 15 Q. When you say she just printed out 16 the old form, who are you referring to? 17 A. Well, I'm not referring to 18 anybody, actually. I'm just thinking that it 19 must have been printed out. I'm not sure who 20 may have printed this print screen. 21 Q. Who was able to print print 22 screens from the computer system? 23 A. I don't know. I guess everybody, 24 everybody who has access to it can print a 25 screen.</p>

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<p>1 Q. Do you know who -- did everyone on 2 the 17th floor have access to the BLMIS computer 3 system? 4 A. No. 5 Q. I'd like to direct your attention, 6 there's some handwriting on the right-hand side 7 of this document. Do you recognize that? 8 A. Right-hand side? 9 Q. Um-hum. 10 A. Dorothy's signature, or her 11 initials, I meant. 12 Q. Dorothy had the capability to 13 print the print screens? 14 A. Yes. 15 Now, I'm sorry, going back, I 16 remember that the initials here, meaning that 17 she entered it into the system, probably a new 18 account and that's what this initial is here 19 for. I know you had asked before and now I 20 remember that's probably what it is. 21 Q. So just to clarify, the witness is 22 referring to AMF00154159. 23 And so the date in the right -- 24 could you just read that into the record? 25 A. 4/17/97.</p>	<p>1 So the only people that I can 2 remember not having a computer is the mailroom. 3 Everybody else had a computer. 4 Q. And did everyone who had a 5 computer have the capability to print from the 6 computer system? 7 A. I'm not sure. 8 Q. Did you receive requests for 9 printing from the computer system often? 10 A. Like making screenshots like this? 11 Q. For example, yes. 12 A. I mean, I recall making print-outs 13 of screenshots, but I don't recall how often it 14 was. 15 THE VIDEOGRAPHER: Excuse me, 16 counsel, one minute. 17 MS. ACKERMAN: Off the record, 18 please. 19 THE VIDEOGRAPHER: The time is 20 1:23 p.m. We are going off the record. 21 (Luncheon recess taken.) 22 THE VIDEOGRAPHER: This begins DVD 23 number 3. The time is 2:06 p.m. and we are back 24 on the record. 25 * * *</p>
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<p>1 Q. And the initials? 2 A. DK. 3 Q. And it's your testimony that those 4 are Dorothy Khan's initials? 5 A. That's correct. 6 Q. And so do Dorothy's initials there 7 indicate that she printed the document? 8 A. No. 9 Q. What do her initials there 10 indicate to you? 11 A. That the account was entered or 12 new account information was entered into the 13 system. 14 Q. Okay, great. I just want to 15 clarify a question from a moment ago. 16 A. Okay. 17 Q. Did everyone on the 17th floor 18 have access to the BLMIS computer system? 19 A. No. 20 Q. Who did not have access to the 21 computer system? 22 A. The mailroom. Let's see. They 23 may have access to the system, but I don't think 24 they had access to enter anything in the system. 25 They can view.</p>	<p>1 BY MS. ACKERMAN: 2 Q. Ms. Leung, I just have one 3 question for you. If you could refer to Trustee 4 Exhibit 45. Could you please spell for the 5 record the last name of the customer on that 6 account? 7 A. B-l-e-c-k-e-r. 8 Q. Okay. And that refers to Aaron 9 and Sofie? 10 A. This one says Arthur. 11 Q. Sorry. 12 A. Arthur and Sofie Beckler. 13 Q. But it's spelled B-l-e-c-k-e-r? 14 A. B-l-e-c-k-e-r. Am I not 15 pronouncing it correct? 16 MS. ACKERMAN: That's fine, thank 17 you. I just wanted to clarify that. 18 No further questions. 19 20 EXAMINATION BY MR. DEXTER: 21 Q. Do you prefer Ms. Mui or is it 22 Leung? 23 A. Leung. 24 Q. It's safe to assume that you don't 25 know Mr. Blecker?</p>

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<p>1 A. No, I do not.</p> <p>2 Q. Considering you didn't know how to</p> <p>3 pronounce his name.</p> <p>4 A. Yes.</p> <p>5 Q. And you have no idea if a check</p> <p>6 was ever sent to him under the basis of being a</p> <p>7 profit withdrawal?</p> <p>8 A. No. I guess with the -- if there</p> <p>9 was an exhibit here.</p> <p>10 Q. If you can answer yes or no --</p> <p>11 A. Oh, I'm sorry.</p> <p>12 Q. -- then answer that way. But if</p> <p>13 it needs an explanation, then explain it.</p> <p>14 A. Okay. Could you repeat the</p> <p>15 question.</p> <p>16 Q. So to repeat the question, do you</p> <p>17 know if Mr. Blecker ever received a profit</p> <p>18 withdrawal check?</p> <p>19 A. No, I'm not sure. Well, only if</p> <p>20 I -- I guess yes if we have a check issued, but,</p> <p>21 no I don't know if he did or not unless I see</p> <p>22 the check or if I entered the check. I can't</p> <p>23 remember, did we look at a check issued to him?</p> <p>24 But on here, according to this, I</p> <p>25 had in my logs logged in a check; it shows here</p>	<p>1 Madoff Investments was actually engaged in</p> <p>2 legitimate activity, correct?</p> <p>3 A. Correct.</p> <p>4 Q. So they were dishonest with you?</p> <p>5 A. Yes.</p> <p>6 Q. And you thought that Madoff</p> <p>7 Investments was actually buying securities for</p> <p>8 its customers, correct?</p> <p>9 A. Yeah, I thought it was a trading</p> <p>10 company, yes.</p> <p>11 Q. But -- and you thought you were</p> <p>12 providing information to Mr. DiPascali, Ms.</p> <p>13 Bongiorno and Ms. Crupi to facilitate legitimate</p> <p>14 securities transactions, correct?</p> <p>15 A. To my knowledge, yes.</p> <p>16 Q. But in fact what you were doing</p> <p>17 was entering data so that they could help</p> <p>18 fabricate false statements, correct?</p> <p>19 A. I guess -- I mean, like I'm not --</p> <p>20 I guess so. They gave me information I guess</p> <p>21 that's false; I don't know, you know, what they</p> <p>22 did with it. But I guess now that I know that</p> <p>23 it was a whole Ponzi scheme, everything was</p> <p>24 false, yeah. So my work that I did seemed all</p> <p>25 for nothing. It was fake, like work that I</p>
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<p>1 on the statement, that shows check.</p> <p>2 Q. Aside from what these records may</p> <p>3 or may not show, there's no other way for you to</p> <p>4 certify today under oath that Mr. Blecker ever</p> <p>5 received a check from Bernard Madoff?</p> <p>6 A. That's correct. No, I wouldn't</p> <p>7 know.</p> <p>8 Q. Okay. We'll come back to that a</p> <p>9 little bit later.</p> <p>10 When did you first learn that</p> <p>11 Madoff Investments was a Ponzi scheme, or was a</p> <p>12 fraud?</p> <p>13 A. The day that he was arrested. The</p> <p>14 day that -- in December.</p> <p>15 Q. And is it the same for Jodi Crupi,</p> <p>16 Frank DiPascali, and Annette Bongiorno; you</p> <p>17 never knew prior to that date that they were</p> <p>18 involved in fraud at Madoff Securities, correct?</p> <p>19 A. That's correct.</p> <p>20 Q. And the people that I just listed</p> <p>21 aside from Madoff, those are the people who you</p> <p>22 took direction from at Madoff Investments,</p> <p>23 correct?</p> <p>24 A. That's correct.</p> <p>25 Q. And they made it seem to you that</p>	<p>1 worked with. All my...</p> <p>2 Q. So all of these documents that</p> <p>3 we've gone through, if everything was false,</p> <p>4 then they're false, too, correct?</p> <p>5 MS. ACKERMAN: Objection.</p> <p>6 Q. You can answer.</p> <p>7 A. I mean, I keyed everything in.</p> <p>8 They were real to me, entering that stuff.</p> <p>9 Checks were generated, all that looked real to</p> <p>10 me. So I don't know how, or, you know, what --</p> <p>11 if it was false or not. I mean, like if it went</p> <p>12 out to the -- I mean, to the customers, the</p> <p>13 checks must be mailed, I would assume.</p> <p>14 Everything was all real. Statements were mailed</p> <p>15 and delivered, you know, all the work we'd done.</p> <p>16 Everything seemed real to me. So I wouldn't</p> <p>17 want to say if it's false or not. I don't know</p> <p>18 if that's...</p> <p>19 Q. Right. So, in other words,</p> <p>20 there's no basis for you to differentiate</p> <p>21 between what's false and what's accurate on</p> <p>22 these statements?</p> <p>23 MS. ACKERMAN: Objection.</p> <p>24 Q. For the record, your answer is</p> <p>25 right?</p>

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<p>1 A. Right, yeah. I don't know, I 2 mean, like to me they all feel real, everything 3 was real to me. 4 Q. You testified earlier that you 5 never had contact with a Madoff Investments 6 customer. That's correct, right? 7 A. No. They don't call me or 8 anything, I don't speak to them. 9 Q. So you've never had a Madoff 10 Investment customer ask you for a profit 11 withdrawal check? 12 A. No. 13 Q. And you never had a Madoff 14 Investment customer confirm that they had 15 received a profit withdrawal check? 16 A. No. 17 Q. Have you ever seen a writing 18 asking for a profit withdrawal check from a 19 Madoff customer? 20 A. In the exhibits or these things 21 that they showed me I saw there was one there. 22 It doesn't come by my desk. It may come in the 23 folder, but I don't look at a customer's folder 24 at what came through or what was received or 25 anything about the request. That's not part of</p>	<p>1 or think about what it meant? 2 A. Right. 3 Q. And today you even testified that 4 you thought PW meant something other than profit 5 withdrawal; you thought it meant profit cash, I 6 believe, or something to that effect? 7 MS. ACKERMAN: Objection. 8 Q. That's okay, you don't have to 9 answer that. 10 So after you would print the 11 checks, you'd give them to Ms. Jackson, correct? 12 A. Correct. Well, we'd put it in her 13 office, yes. Usually because we do the checks, 14 we normally do them later in the day so people 15 are getting ready or have left already, so we 16 just put them into her drawer for her to go 17 through them the next morning. 18 Q. Right. And after that you have no 19 idea what happens with them? 20 A. Correct. 21 Q. Just sort of assumed that they got 22 to wherever -- 23 A. Right. 24 Q. -- address it listed them to get 25 to?</p>
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<p>1 my job to look at, so I don't look at it. 2 Q. When you were at Madoff 3 Investments, what was your understanding of the 4 meaning of profit withdrawal? 5 A. I don't know. 6 Q. You didn't know the meaning back 7 then or you don't remember now? 8 A. I don't know what the meaning was. 9 Q. You didn't know what the meaning 10 was? 11 A. No. 12 Q. Did you know when you were at 13 Madoff Investments that PW meant or stood for 14 profit withdrawal? 15 A. It may have been mentioned that it 16 was, but all I did, PW, just keyed it in. I 17 didn't think of like a CA as capital additions 18 or anything, I just think CA, CW, so I don't 19 relate them to what they actually mean. They're 20 just codes to me. 21 Q. Right. So you were just sort of 22 fed information and PW was one of those codes 23 that you were fed? 24 A. Right. 25 Q. And you didn't really question it</p>	<p>1 A. Correct. 2 Q. Right. 3 Do you have any knowledge with 4 regard to the system for requesting profit 5 withdrawals; that is from the customers 6 requesting profit withdrawals to Madoff 7 Securities? 8 A. I don't know. 9 Q. You don't know if it could be by 10 writing, if it could be orally? 11 A. I don't know. Yeah, I don't know. 12 Q. So your -- so, in other words, 13 basically everything you know about profit 14 withdrawals or PW entries comes from the 15 superiors at Madoff Investments who you worked 16 for, correct? 17 A. Yes. 18 MS. ACKERMAN: Objection. 19 Q. And they're all now convicted 20 securities fraud felons, correct? 21 A. Yeah, I guess. 22 Q. So how confident are you today in 23 the reliability of the documents that we've just 24 discussed? 25 MS. ACKERMAN: Objection.</p>

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<p>1 A. I don't know. I don't know.</p> <p>2 Q. As in you're not very confident or</p> <p>3 you just don't know how to answer that?</p> <p>4 A. I don't know how to answer -- I</p> <p>5 don't know. I don't know what type of question</p> <p>6 you're asking me, in a way. I'm not sure.</p> <p>7 Q. Well, if these documents were all</p> <p>8 created by convicted securities felons --</p> <p>9 MS. ACKERMAN: Objection.</p> <p>10 Q. -- then how confident are you</p> <p>11 today in the reliability of these documents?</p> <p>12 MS. ACKERMAN: Objection.</p> <p>13 A. I guess I'm not confident?</p> <p>14 Q. Let's go through some of these</p> <p>15 documents. Today is the first day that I've</p> <p>16 seen some of these documents, so bear with me.</p> <p>17 Let's go to Exhibit 49, Trustee's</p> <p>18 Exhibit 49. Until today, have you ever seen</p> <p>19 this document before?</p> <p>20 A. I'm not sure. It would look like</p> <p>21 something we would have. I may have seen it at</p> <p>22 the beginning, since this looks like dated in</p> <p>23 '95, but I don't recall, I don't really recall a</p> <p>24 lot of it in here.</p> <p>25 Q. Okay. And if we turn to the page</p>	<p>1 and then at some point there were only two</p> <p>2 books?</p> <p>3 A. Yes.</p> <p>4 Q. Can you just for our edification</p> <p>5 explain that, sort of what you know about that,</p> <p>6 because that just wasn't clear to me.</p> <p>7 MS. ACKERMAN: Objection.</p> <p>8 Q. When did it go from three books to</p> <p>9 two books?</p> <p>10 A. I don't recall when it did.</p> <p>11 Q. Do you know why it went from three</p> <p>12 to two?</p> <p>13 A. No, I do not.</p> <p>14 Q. Okay.</p> <p>15 Let's look at another exhibit.</p> <p>16 Let's look at Trustee's 22. Before today, had</p> <p>17 you ever seen this before?</p> <p>18 A. Probably early on in the -- early</p> <p>19 on during my employment there, but there are</p> <p>20 some pages here that I don't recall seeing.</p> <p>21 Like, I mean, it kind of -- I remember like the</p> <p>22 first page, something like that I would come</p> <p>23 across, but I don't recall some of the pages.</p> <p>24 Q. Okay. So in that same exhibit,</p> <p>25 let's go to the page with Bates number ending in</p>
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<p>1 with Bates numbers ending in 523, which we</p> <p>2 reflected on earlier. If we go down to where in</p> <p>3 the code column it says PW.</p> <p>4 A. Yes.</p> <p>5 Q. Where it says entry type, what</p> <p>6 does that say?</p> <p>7 A. DR.</p> <p>8 Q. No. If you look at --</p> <p>9 A. Oh, entry type, I'm sorry. Profit</p> <p>10 checks.</p> <p>11 Q. Profit checks. Is it possible</p> <p>12 that when you were looking at this document,</p> <p>13 that's why you thought PW meant profit checks,</p> <p>14 because that corresponds --</p> <p>15 MS. ACKERMAN: Objection.</p> <p>16 Q. -- with PW there?</p> <p>17 A. Yes, I would think so.</p> <p>18 Q. That would be a natural</p> <p>19 assumption, especially if you haven't seen this</p> <p>20 document?</p> <p>21 MS. ACKERMAN: Objection.</p> <p>22 Q. Let's go to the same document, the</p> <p>23 same exhibit, Bates number ending in 545.</p> <p>24 I think this exhibit makes</p> <p>25 reference to there being three books originally</p>	<p>1 1651.</p> <p>2 A. Okay.</p> <p>3 Q. Earlier there was some discussion</p> <p>4 as to the column to the most right on the page</p> <p>5 with the title "Health South."</p> <p>6 A. Um-hum.</p> <p>7 Q. Just to confirm, you had no idea</p> <p>8 what was occurring in the stock of Health South</p> <p>9 at the time these entries are dated, correct?</p> <p>10 A. Correct.</p> <p>11 Q. So you would have no idea if</p> <p>12 Health South was announcing a dividend or had</p> <p>13 split or there was another reason for it to</p> <p>14 withdraw a profit to an investor?</p> <p>15 A. Correct.</p> <p>16 Q. Let's go to Exhibit 23. And let's</p> <p>17 go to page with Bates number ending in 330.</p> <p>18 A. Okay.</p> <p>19 Q. Do you remember seeing this</p> <p>20 document until today?</p> <p>21 MS. ACKERMAN: Objection.</p> <p>22 Clarify?</p> <p>23 Q. Do you remember seeing this page</p> <p>24 of this document until today?</p> <p>25 A. I remember the name and file page</p>

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<p>1 that it looks like this, yes. This particular 2 customer is what you're asking, if I remember? 3 Q. Well, I guess I'm asking both and 4 I think you answered both. 5 A. Okay. 6 Q. So, in other words, you're used to 7 this format? 8 A. Right. 9 Q. But you don't remember this 10 particular customer? 11 A. Yes. No. 12 Q. And for "S" being send, what did 13 that mean to you, send what? 14 A. What I see here, just I guess it 15 looks like send and I would put "S" here for all 16 the profits, dividends and interest. That's 17 what it looks like to me, that it's to send all. 18 Q. But at the time, when you worked 19 at Madoff Investments, did you think about that, 20 what that "S" meant? Or just sort of today that 21 you thought about that? 22 MS. ACKERMAN: Objection. 23 A. All I know is that when I see an 24 "S" just to put the "S," that means send, but I 25 don't know what it meant, like what it really</p>	<p>1 MS. ACKERMAN: Objection. 2 Q. No as in you had no idea, right? 3 A. Yes. Only random. 4 Q. Right. So you would have no idea 5 whether it was true where there's an indication 6 that there was a certain amount representing 7 profits withdrawn? 8 MS. ACKERMAN: Objection. 9 Q. Where it says profits withdrawn on 10 this sheet, you have no idea if that amount was 11 true or not, considering you only ran these 12 documents and you didn't know what they really 13 meant, correct? 14 A. Correct. 15 Q. And do you know how these 16 documents were created? 17 A. Well, I would think when we do the 18 cash and security, to sell everything, it goes 19 into, I guess the system or whatever, in the 20 employee's folder. And when you run a report it 21 pulls, I guess if the portfolio report were 22 pulled, what it's meant to pull, whether all 23 CW's or CA's, it looks like from the employee's 24 accounts or file. That's what I'm thinking 25 that's what it does.</p>
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<p>1 meant. What it stood for. 2 Q. You didn't know what it really 3 meant or what it stood for? 4 A. Right. 5 Q. Let's go to Exhibit 24. 6 I believe you testified earlier 7 that after you printed a check such as this, you 8 wouldn't see it in the signed form; it would be 9 signed after it had left your possession? 10 A. That's correct. 11 Q. So you actually never saw a signed 12 profit withdrawal check? 13 A. Correct. 14 Q. Only unsigned checks? 15 A. Correct. 16 Q. And do you -- I mean, this 17 investor, does this name ring a bell to you? 18 Hanoh Charat? 19 A. I know we had a lot of investors. 20 I mean, it sounds familiar. 21 Q. Okay. 22 Let's go to Exhibits 39 and 40. 23 So just to confirm, you have no 24 idea what these reports were? 25 A. No.</p>	<p>1 Q. Right. But you don't know, right? 2 It's okay if you don't know. 3 MS. ACKERMAN: Objection. 4 Q. Do you know, or not? 5 A. That's what it looks like to me, 6 that it pulls from the information that was 7 keyed in. 8 Q. Okay, but just to confirm, you 9 only ran these reports? 10 A. That's correct. 11 Q. So you don't really know what 12 their contents are? 13 MS. ACKERMAN: Objection, asked 14 and answered. 15 Q. You can answer. 16 A. Yeah, I just ran the reports. I 17 don't know... 18 Q. You don't know what their contents 19 meant? 20 A. Right. 21 Q. Let's go to Exhibit 40. Again, 22 you just ran this report? 23 A. Correct. 24 Q. And you don't know what their 25 contents mean, correct?</p>

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<p style="text-align: right;">Page 146</p> <p>1 A. Correct.</p> <p>2 Q. Let's go to Exhibits 55 and 56.</p> <p>3 How confident are you that these records are</p> <p>4 accurate?</p> <p>5 A. My logs?</p> <p>6 Q. Yeah.</p> <p>7 A. Pretty confident. I mean, I</p> <p>8 pretty much tried to log in as much as I can.</p> <p>9 Again, if it's something that's, you know, like</p> <p>10 a little thing that I did, I may not log it in</p> <p>11 or if it's not really a big procedure, then I</p> <p>12 may not have logged it in, but it's mostly</p> <p>13 accurate.</p> <p>14 Q. So, was there a criteria for</p> <p>15 determining if there was a big procedure it</p> <p>16 should be logged, or a small procedure that</p> <p>17 didn't need to be logged?</p> <p>18 A. No. No. I mean, generally when I</p> <p>19 first started, we were supposed to log in</p> <p>20 everything. I guess maybe if I had one file to</p> <p>21 update, I mean, I put in that one file that I</p> <p>22 changed it, updated an address or anything like</p> <p>23 that. But mostly the big procedures, when you</p> <p>24 have to go in and process something, a report or</p> <p>25 run a trade or run the C&S or do a check, those</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. -- filling out this log?</p> <p>2 A. Well, I guess the reports that</p> <p>3 come out, the C&S reports you'd see. I'd know</p> <p>4 that she ran them.</p> <p>5 Q. But no one would ever, after the</p> <p>6 fact, after things are recorded in this log,</p> <p>7 match them up with the C&S reports to make sure</p> <p>8 that the two sets of documents had reconciled,</p> <p>9 correct?</p> <p>10 MS. ACKERMAN: Objection.</p> <p>11 A. Well, Dorothy and I would make</p> <p>12 sure that our reports have the same procedure</p> <p>13 information on there, like say, take for</p> <p>14 instance if we had a cash1702, the C&S for, say,</p> <p>15 looking at December 29th and it says number 2,</p> <p>16 we make sure the report says December 29th,</p> <p>17 number 2, to match up to what we did here.</p> <p>18 Q. I'm just trying to understand.</p> <p>19 You would make entries in this log after you</p> <p>20 did -- after you would cut a PW check, for</p> <p>21 example? Correct?</p> <p>22 A. After it's processed, yes.</p> <p>23 Q. So then after entries were made</p> <p>24 into this log, there were no further steps at</p> <p>25 Madoff Investments to verify that these logs</p>
<p style="text-align: right;">Page 147</p> <p>1 are stuff that we log in.</p> <p>2 Q. Was there any -- anyone checking</p> <p>3 these documents to make sure that all entries</p> <p>4 that should have been made were made?</p> <p>5 MS. ACKERMAN: Objection.</p> <p>6 A. Not that I know of.</p> <p>7 Q. And with respect to entries from</p> <p>8 persons other than yourself such as Dorothy,</p> <p>9 would you see her make these entries?</p> <p>10 MS. ACKERMAN: Objection.</p> <p>11 A. Well, Dorothy and I, we worked</p> <p>12 different shifts sometimes, so she works a later</p> <p>13 shift so if there are some things that I may not</p> <p>14 see her process, a trading or checks or C&S.</p> <p>15 So, then I guess at that time I wouldn't know</p> <p>16 that she processed it, but I would just know</p> <p>17 that she did because she would log it.</p> <p>18 Q. So there would be a lot of entries</p> <p>19 in here from Dorothy that you would have no way</p> <p>20 to verify whether --</p> <p>21 MS. ACKERMAN: Objection.</p> <p>22 Q. -- whether they actually reflected</p> <p>23 what had occurred or not, because simply you</p> <p>24 weren't there at the time to see her --</p> <p>25 MS. ACKERMAN: Objection.</p>	<p style="text-align: right;">Page 149</p> <p>1 reconciled with other aspects of records at</p> <p>2 Madoff Investments, correct?</p> <p>3 MS. ACKERMAN: Objection.</p> <p>4 A. I don't know. Nobody really</p> <p>5 looked at our logs, just Dorothy and I would</p> <p>6 keep the logs.</p> <p>7 Q. Right.</p> <p>8 Are you aware of other employees</p> <p>9 keeping these sorts of logs?</p> <p>10 MS. ACKERMAN: Objection.</p> <p>11 A. I don't know.</p> <p>12 Q. You don't know, okay.</p> <p>13 MR. DEXTER: Just a moment. I</p> <p>14 don't think I have that many more questions.</p> <p>15 Q. All right. I just have a few more</p> <p>16 questions.</p> <p>17 In any of the documents that we've</p> <p>18 seen today, was any of that writing by a</p> <p>19 customer of Madoff Securities?</p> <p>20 MS. ACKERMAN: Objection.</p> <p>21 A. I don't know.</p> <p>22 Q. Or was it all by employees, Madoff</p> <p>23 employees?</p> <p>24 A. The information that was given to</p> <p>25 me to enter, no, I would assume they were all</p>

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<p>1 from my managers.</p> <p>2 Q. Right. So you never had a</p> <p>3 direction from a Madoff investor to send a</p> <p>4 profit withdrawal check?</p> <p>5 A. That's correct.</p> <p>6 Q. And all of these documents we've</p> <p>7 looked at today --</p> <p>8 MS. ACKERMAN: Objection.</p> <p>9 Q. -- and just the ones that we've</p> <p>10 discussed in my examination, which are not as</p> <p>11 voluminous, so you could manage them, did any of</p> <p>12 these have any writing from a customer, or are</p> <p>13 they all from Madoff employees?</p> <p>14 MS. ACKERMAN: Objection.</p> <p>15 MR. DEXTER: What's the objection?</p> <p>16 MS. ACKERMAN: She has no way of</p> <p>17 identifying the information that you're asking</p> <p>18 for. Do you have a specific reference?</p> <p>19 Q. Let's look at, for example,</p> <p>20 Exhibit 22.</p> <p>21 MS. ACKERMAN: What page?</p> <p>22 Q. The first page of this, 1479,</p> <p>23 where it says PW, PW, PW, PW. That's by Madoff</p> <p>24 employees, correct?</p> <p>25 MS. ACKERMAN: Objection.</p>	<p>1 Q. After profit withdrawal checks</p> <p>2 were sent out, you never saw the records from</p> <p>3 the bank account to which the profit withdrawal</p> <p>4 checks were deposited, correct?</p> <p>5 A. That's correct.</p> <p>6 MS. ACKERMAN: Objection.</p> <p>7 Q. So you have no way of knowing if</p> <p>8 they were ever deposited?</p> <p>9 A. That's correct.</p> <p>10 Q. And are you aware of a single</p> <p>11 instance where any Madoff Investment customer</p> <p>12 requested a profit withdrawal check?</p> <p>13 MS. ACKERMAN: Objection.</p> <p>14 A. They don't come to me, I don't</p> <p>15 know when they requested, if they requested or</p> <p>16 not. That request doesn't come to me, so I</p> <p>17 don't know.</p> <p>18 MR. DEXTER: Okay. Thank you. I</p> <p>19 don't have anything further.</p> <p>20 MS. ACKERMAN: Off the record.</p> <p>21 THE VIDEOGRAPHER: The time is</p> <p>22 2:45 p.m. We are going off the record.</p> <p>23 (Recess taken.)</p> <p>24 THE VIDEOGRAPHER: The time is</p> <p>25 2:57 p.m. and we are back on the record.</p>
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<p>1 Q. If you don't know, you don't know.</p> <p>2 A. Looks like -- it looks like the</p> <p>3 handwriting of Jodi.</p> <p>4 Q. So a document like this, would a</p> <p>5 customer ever receive a document like this?</p> <p>6 A. I don't know.</p> <p>7 Q. The same document.</p> <p>8 A. I don't know.</p> <p>9 Q. And just to confirm, do you have</p> <p>10 any understanding of the way in which the</p> <p>11 alleged profit withdrawals were generated?</p> <p>12 A. No, I don't. No, I don't know.</p> <p>13 Q. When you were working at Madoff</p> <p>14 Investments, did you have any knowledge as to</p> <p>15 what trading strategy was allegedly being</p> <p>16 employed by Madoff Investments?</p> <p>17 A. No.</p> <p>18 Q. And are you aware of, just to</p> <p>19 confirm, you're not aware of a single instance</p> <p>20 that Mr. Blecker received a profit withdrawal</p> <p>21 check?</p> <p>22 MS. ACKERMAN: Objection.</p> <p>23 Q. Correct?</p> <p>24 A. I don't know. I don't know if he</p> <p>25 received it or not, no.</p>	<p>1 CONTINUED EXAMINATION BY MS. ACKERMAN:</p> <p>2 Q. Ms. Leung, as an employee of BLMIS</p> <p>3 you performed data entry, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And when you began at BLMIS in</p> <p>6 1995, you used the code "PW" as part of your</p> <p>7 work as a data entry person, personnel, correct?</p> <p>8 A. Right.</p> <p>9 Q. And did you also use the code "CW"</p> <p>10 at that time?</p> <p>11 A. Yes.</p> <p>12 Q. And the PW and CW codes</p> <p>13 represented withdrawals, correct?</p> <p>14 A. I think so, yes.</p> <p>15 Q. PW and CW codes were part of the</p> <p>16 check-out data entry process?</p> <p>17 A. Yes.</p> <p>18 Q. And the check-out process was for</p> <p>19 checks going to customers?</p> <p>20 A. Yes.</p> <p>21 Q. Referring back to Trustee's</p> <p>22 Exhibits 55 and 56, your daily work at BLMIS was</p> <p>23 to perform data entry, correct?</p> <p>24 A. Correct.</p> <p>25 Q. And every day you entered data?</p>

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<p style="text-align: right;">Page 154</p> <p>1 A. Right.</p> <p>2 Q. And each day you entered into the</p> <p>3 log the work that you performed, correct?</p> <p>4 A. Correct.</p> <p>5 Q. And you entered in the day's work</p> <p>6 as you went throughout the day?</p> <p>7 A. Correct.</p> <p>8 Q. And at the end of the day?</p> <p>9 A. Yes.</p> <p>10 Q. And you accurately represented</p> <p>11 what you worked on each day in this log,</p> <p>12 correct?</p> <p>13 A. Yes.</p> <p>14 Q. For example, when you generated</p> <p>15 and printed PW and CW checks, did you enter it</p> <p>16 into Trustee's Exhibit 55 and 56?</p> <p>17 A. Yes.</p> <p>18 Q. And you did that at the time that</p> <p>19 you generated the checks, correct?</p> <p>20 A. That's correct.</p> <p>21 Q. I'd like to refer your attention</p> <p>22 back to Trustee's 39 and -- Exhibits 39 and 40.</p> <p>23 During the course of your work at</p> <p>24 BLMIS, did you generate reports such as these?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 156</p> <p>1 A. Yes, I am.</p> <p>2 Q. And do they accurately reflect the</p> <p>3 work that you performed at BLMIS as a keypunch</p> <p>4 operator?</p> <p>5 A. Yes.</p> <p>6 Q. And the next page, please, ending</p> <p>7 in 548. Are you familiar with the processes</p> <p>8 identified on this page?</p> <p>9 A. Yes.</p> <p>10 Q. Do they accurately reflect the</p> <p>11 work that you performed as a keypunch operator</p> <p>12 at BLMIS?</p> <p>13 A. Yes.</p> <p>14 Q. If you could direct your attention</p> <p>15 to page ending in 550. Are you familiar with</p> <p>16 the processes identified on this page?</p> <p>17 A. Yes, I am.</p> <p>18 Q. And do they accurately reflect the</p> <p>19 work that you performed as a keypunch operator</p> <p>20 at BLMIS?</p> <p>21 A. Yes.</p> <p>22 Q. And turn the page, please, to page</p> <p>23 ending in 551. Are you familiar with the</p> <p>24 processes identified on this page?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 155</p> <p>1 Q. And did you generate those reports</p> <p>2 from the BLMIS computer system?</p> <p>3 A. Yes.</p> <p>4 Q. Thank you.</p> <p>5 I'd like to direct your attention</p> <p>6 to Trustee's Exhibit 49. I'd like you to look</p> <p>7 at page ending in 545, please.</p> <p>8 Are you familiar with the</p> <p>9 processes that are described on this page?</p> <p>10 A. Yes.</p> <p>11 Q. And do these processes identified</p> <p>12 on page MADTSS00336545 accurately reflect the</p> <p>13 work that you performed at BLMIS?</p> <p>14 A. Yes.</p> <p>15 Q. If you could direct your attention</p> <p>16 to 546, page ending in 546, the next page. Are</p> <p>17 you familiar with the processes identified on</p> <p>18 this page?</p> <p>19 A. Yes.</p> <p>20 Q. And do they accurately reflect the</p> <p>21 work that you performed at BLMIS?</p> <p>22 A. Yes.</p> <p>23 Q. Next page, please, ending in 547.</p> <p>24 Are you familiar with the processes identified</p> <p>25 on this page?</p>	<p style="text-align: right;">Page 157</p> <p>1 Q. And do they accurately represent</p> <p>2 the procedures that you performed as a keypunch</p> <p>3 operator at BLMIS?</p> <p>4 A. Yes.</p> <p>5 Q. Ms. Leung, do you know Mr. Aaron</p> <p>6 Blecker?</p> <p>7 A. No, I do not.</p> <p>8 Q. If I could direct your attention</p> <p>9 to Trustee's Exhibit 36. Beginning with the</p> <p>10 first page of Trustee's Exhibit 36, does this</p> <p>11 document appear to be a reproduction of a</p> <p>12 customer file maintained at BLMIS?</p> <p>13 A. Yes.</p> <p>14 Q. And does it appear to be the</p> <p>15 customer file that was maintained at BLMIS for</p> <p>16 account 1B0022?</p> <p>17 A. Yes.</p> <p>18 Q. And is this folder -- does</p> <p>19 Trustee's Exhibit 36 appear to be a folder that</p> <p>20 you would have worked with on a daily basis at</p> <p>21 BLMIS?</p> <p>22 A. A customer folder?</p> <p>23 Q. Um-hum.</p> <p>24 A. Yes.</p> <p>25 Q. And if you could direct your</p>

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<p>1 attention to page ending in 419. Is this form</p> <p>2 one that you would have used on a regular basis</p> <p>3 in your work as a keypunch operator at BLMIS?</p> <p>4 A. Yes.</p> <p>5 MS. ACKERMAN: No further</p> <p>6 questions. Off the record.</p> <p>7 THE VIDEOGRAPHER: The time is</p> <p>8 3:04 p.m. We are going off the record.</p> <p>9 (Deposition concluded.)</p> <p>10 -o0o-</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 JURAT</p> <p>2 I, ALETHEA LEUNG, have read the</p> <p>3 foregoing deposition and hereby affix my</p> <p>4 signature that same is true and correct, except</p> <p>5 as noted above.</p> <p>6 _____</p> <p>7 ALETHEA LEUNG</p> <p>8 THE STATE OF _____</p> <p>9 COUNTY OF _____</p> <p>10</p> <p>11 Before me, _____, on this</p> <p>12 day personally appeared _____,</p> <p>13 known to me (or proved to me on the oath of or</p> <p>14 through _____ (description of identity</p> <p>15 card or other document) to be the person whose</p> <p>16 name is subscribed to the foregoing instrument</p> <p>17 and acknowledged to me that he/she executed the</p> <p>18 same for the purpose and consideration therein</p> <p>19 expressed.</p> <p>20 Given under my hand and seal of office on</p> <p>21 this _____ day of _____, _____.</p> <p>22</p> <p>23 _____</p> <p>24 NOTARY PUBLIC IN AND FOR</p> <p>25 THE STATE OF _____</p> <p>My Commission Expires: _____.</p>																																																																		
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<p>1 ERRATA SHEET</p> <p>2</p> <p>3 WITNESS NAME: ALETHEA LEUNG</p> <p>4</p> <table border="1"><thead><tr><th>PAGE/LINE</th><th>CHANGE</th><th>REASON</th></tr></thead><tbody><tr><td>5</td><td>_____</td><td>_____</td></tr><tr><td>6</td><td>_____</td><td>_____</td></tr><tr><td>7</td><td>_____</td><td>_____</td></tr><tr><td>8</td><td>_____</td><td>_____</td></tr><tr><td>9</td><td>_____</td><td>_____</td></tr><tr><td>10</td><td>_____</td><td>_____</td></tr><tr><td>11</td><td>_____</td><td>_____</td></tr><tr><td>12</td><td>_____</td><td>_____</td></tr><tr><td>13</td><td>_____</td><td>_____</td></tr><tr><td>14</td><td>_____</td><td>_____</td></tr><tr><td>15</td><td>_____</td><td>_____</td></tr><tr><td>16</td><td>_____</td><td>_____</td></tr><tr><td>17</td><td>_____</td><td>_____</td></tr><tr><td>18</td><td>_____</td><td>_____</td></tr><tr><td>19</td><td>_____</td><td>_____</td></tr><tr><td>20</td><td>_____</td><td>_____</td></tr><tr><td>21</td><td>_____</td><td>_____</td></tr><tr><td>22</td><td>_____</td><td>_____</td></tr><tr><td>23</td><td>_____</td><td>_____</td></tr><tr><td>24</td><td>_____</td><td>_____</td></tr><tr><td>25</td><td>_____</td><td>_____</td></tr></tbody></table>	PAGE/LINE	CHANGE	REASON	5	_____	_____	6	_____	_____	7	_____	_____	8	_____	_____	9	_____	_____	10	_____	_____	11	_____	_____	12	_____	_____	13	_____	_____	14	_____	_____	15	_____	_____	16	_____	_____	17	_____	_____	18	_____	_____	19	_____	_____	20	_____	_____	21	_____	_____	22	_____	_____	23	_____	_____	24	_____	_____	25	_____	_____	<p>1 REPORTER'S CERTIFICATION</p> <p>2</p> <p>3 I, NANCY C. BENDISH, Certified</p> <p>4 Court Reporter and Notary Public of the States</p> <p>5 of New York and New Jersey, do hereby certify</p> <p>6 that, prior to the commencement of the</p> <p>7 aforementioned examination, ALETHEA LEUNG was</p> <p>8 sworn by me to testify the truth, the whole</p> <p>9 truth and nothing but the truth.</p> <p>10 I DO FURTHER CERTIFY that the</p> <p>11 foregoing is a true and accurate transcript of</p> <p>12 the testimony as taken stenographically by and</p> <p>13 before me at the time, place, and on the date</p> <p>14 hereinbefore set forth.</p> <p>15 I DO FURTHER CERTIFY that I am</p> <p>16 neither a relative nor employee nor attorney nor</p> <p>17 counsel of any party in this action and that I</p> <p>18 am neither a relative nor employee of such</p> <p>19 attorney or counsel, and that I am not</p> <p>20 financially interested in the event nor outcome</p> <p>21 of this action.</p> <p>22</p> <p>23 _____</p> <p>24 NANCY C. BENDISH, CCR, RMR, CRR, CLR</p> <p>25 Realtime Systems Administrator</p> <p>Certificate No. XI00836</p> <p>Dated: June 3, 2016</p>
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